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Convention on the Elimination of All Forms of Discrimination against Women

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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Combined initial and second periodic reports of States parties

Eritrea*

* The present report is being issued without formal editing.

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Initial Report on

The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)

By the State of Eritrea

Under Article 18 of the Convention

Part I

General Information

1.2 Geography, History and Economy[1]

Geography

Eritrea, one of the newly independent nations in Africa, lies north of the equator and just north of the Horn of Africa. It is bordered in the South with Ethiopia, the Northwest with Sudan, in the Southeast with Djibouti and in the East with the Red-Sea.

The country has a coastline of more than 1000km (625 miles) and its territory includes more than 350 islands. Eritrea's proximity to the Red-Sea together with its physical features account for its varied climate while the lowlands are characterized by a hot and humid climate, especially along the coast. Eritrea is in the Saharan rainfall zone and receives its heaviest rains from the southwest monsoons. In normal years, rainfall varies from an annual average of 400 mm to 650 mm in the high lands and from 200 mm to 300 mm in the lowlands.

History

On 1 January 1890, Italy set the boundaries of Eritrea and ruled it as a colony until the British defeated the Italians in the African Theater and took over the administration of Eritrea. During World War II, the British made Eritrea an important center for British and American operation in the region.

With Italy's defeat in Second World War, the question of the disposal of its colonies was raised in the United Nations (UN). The UN sent several multinational investigative teams to Eritrea to conduct local survey on the wishes of the people. Different teams came up with different solutions, including dividing Eritrea into various portions and awarding them to Britain, France and Ethiopia; maintaining the protectorate for ten years and then conducting a referendum; and granting full independence. After some years of deliberation, the UN adopted a resolution federating Eritrea with Ethiopia, but guaranteeing Eritreans some democratic rights and autonomy.

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1 Eritrea Demographic and Health Survey, 1995

However, during the federation with Ethiopia, Emperor Haile Selassie's government systematically violated the rights granted by the UN. In 1961, an armed struggle for independence began after years of peaceful protest against Ethiopian infringements on Eritrean democratic rights and autonomy produced no improvement in a deteriorating situation. The Emperor's transgressions culminated in the unilateral dissolution of the Eritrean parliament and annexation of Eritrea as Ethiopia's fourteenth province in 1962.

In May 1991, 30 years after the struggle for independence began, the Eritrean People's Liberation Front (EPLF) liberated the entire country and established the Provisional Government of Eritrea (PGE).

In April 1993, the PGE conducted an internationally supervised referendum in which 98.5 percent of the population participated; 99.8 percent voted for independence. The head of the UN observer mission said the referendum was "free and fair at every stage". Other observer groups confirmed this.

The official Independence Day was inaugurated on 24th May 1993 and the independent state of Eritrea became the 183rd member of the United Nations.

The Eritrean Constitutional Commission (ECC) established under the proclamation No.55/1994, mandated to draft the first Eritrean Constitution on the basis of which a democratic order would be established, and which as a basic law, shall be the ultimate point of reference of all the laws of the country, and the final arbiter of all basic issues in dispute, was formed.[2] After three years of hard work, drafting and conducting popular consultations the Constituent Assembly which, was established under Proclamation No. 92/1996, ratified the Constitution of Eritrea on May 23, 1997.

Economy

Economically, the thirty-year war of liberation caused decades of lost development as well as the destruction of economic and social infrastructures. In 1995, Eritrea was a low-income developing country with a per capita income of less than US $200 per year.

Over 70 percent of Eritrea's people depend on traditional subsistence agriculture including crop farming, livestock raising and fishing for their livelihood, although commercial agriculture and fishing have recently been revived. Eritrea's industrial base is extremely backward and narrow as it is made up of small and medium scale consumer-goods producing industries (food, beverages, leather goods, textile, etc).

In November 1994, the Government issued a Macro-Policy statement, which spells out the broad goals and strategies of development for the next twenty years. According to the Macro Policy, "The creation of a modern technologically advanced and internationally competitive economy within the next two decades is an overriding national development objective." The key strategies envisaged in realizing this objective are ".... human capital formation with education and health as key inputs, export oriented development both in industry and agriculture, infrastructure development to remove critical bottlenecks, environmental restoration and protection and promotion of the private sector."

There are however critical constraints to development. The physical and social, as well as institutional, infrastructure of the country has been severely and negatively affected by the war and the policies of the colonial regimes. Human capital development is low and the technological base is backward. The creation, in

2 Proclamation on the establishment of ECC

this context, of a modern technologically advanced and internationally competitive economy within the next decades thus becomes an overriding national development objective.[3]

1.2 Demography

Population

Since there has not been any survey or census conducted in the country before or after independence, the population size is not known with any degree of precision. Some rough professional estimates put the country's population in the range of 2.5 to 3.5 million. Estimates of the number of Eritreans living abroad range between 700,000 and 1,000,000. The population is culturally and linguistically diverse, consisting of nine ethnic groups, namely: Afar, Tigre, Tigrigna, Saho, Hidareb, Bilen, Kunama, Nara and Rashaida.

Household Composition

In Eritrea, more than half of the household (53 percent) is headed by a male, a decrease from 69 percent in the 1995 EDHS. Female-headed households have increased from 31 percent in the 1995 EDHS to 47 percent in the 2002 EDHS. The proportion of female-headed households is higher in Asmara and other urban areas (51 to 53 percent) than in rural areas (43 percent). The average household size in Eritrea increased from 4.4 to 4.8 persons. The mean household size is slightly larger in rural area (4.9) than in the urban area (4.7).[4]

Out of the total economically active population (15-64), almost 50% are female. The sex ratio is 83 and 127 for urban and rural areas respectively, while it is 88 for the whole country. The distribution of the de facto population by broad age groups showed that children under 15 years of age and the population in age group 15-64 each account for 47 percent and 45 percent of the population respectively, with the remaining population over 65 years of age.[5]

Executive Summary

1. The State of Eritrea has ratified the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) as an International Legal framework in 1995. Since then, it has been translated into the official language and is widely disseminated among the Eritrean community and particularly among women.

2. The establishment of the National Union of Eritrean Women (NUEW) in 1979 with the aim of empowering Eritrean women and fostering their participation in the national liberation movement and social justice was another major step. Currently NUEW is a non-governmental organization mandated to work as women's machinery for the advancement of gender equality. It works in close coordination and cooperation with concerned government sectors, local /International NGO's and the community at large. Among other activities, it has managed to conduct sensitization programs of the constitutional and legal provisions, within the community and women.

3. The strong commitment and political will of the government is playing a tremendous role to the full implementation of the Convention and the achievement of gender equality. The Eritrean government has

[3] Macro Policy of the government of Eritrea, 1994
[4] EDHS 2002
[5] EDHS 1995

done a great deal to guarantee Eritrean women equal opportunities, particularly by adopting legislation to guarantee their status, their role in society and the possibility of enjoying an adequate quality of life. The Macro Policy of Eritrea confirms this by stating that *"the equal right of women will be upheld and all laws that subtract from this right will be changed."*

4. The initial report which was supposed to be submitted one year after the signing and entry into force of the Convention was hindered for various reasons mainly the four years long border war. The Government of Eritrea would hence like to notify and request the consideration of this report as the initial and second subsequent report on the implementation of the convention.

5. The implementation of CEDAW is going in tandem with the implementation of the Global Platform of Action adopted at the 4th World Conference on Women held in Beijing in Sep.1995. Eritrea was represented in this Conference by an official delegation of 22 Women that included representatives from the Districts, local NGO's, and other civil society.

6. A report on Beijing + five depicting the implementation of the Platform of Action and future strategies on the promotion of gender perspectives was submitted to UNDAW in 1999 by the NUEW.

7. A five years National Plan[6] of action on gender development has been proposed by NUEW, relevant legal provisions enacted and gender focal points appointed in some Ministries. The NUEW has also managed to organize a strong and effective net work of women within the country and the Diaspora.

8. Eritrean women were adequately represented (over 40%) in the ECC, a body mandated to draft the first National Constitution thereby becoming part of the National law making process. The NUEW was also involved in the process of drafting the constitution by actively participating in the gender unit formed under the Social and Cultural Department of the ECC. A woman executive member of the ECC chaired this department. The draft was thoroughly discussed, socialized and amended at the popular consultations held in all regions of the country. The Eritrean women had the opportunity to raise their voice and incorporate their fundamental rights constitutionally. In addition to this NUEW was also involved in various consultation forums organized by the Ministry of Justice law reform committee, in the process of reforming the Civil and Criminal Codes.

9. It was a break through in the educational efforts when the Eritrean People's Liberation Front (EPLF) waged a vast campaign on illiteracy as early as the seventies and encouraged women to participate despite the traditional barriers and taboos against learning. Education is indeed a stepping stone towards the liberation and empowerment of women, thus weakening economic, social and cultural barriers that limit their involvement in national development. Currently, the illiteracy rate is 51%, girl's net attendance ratio (NAR) at primary level is 41 percent in urban and 27 percent in rural areas.

10. The main causes of morbidity and mortality in Eritrea are preventable diseases. Among the root problems that impact the health status of the population and women in particular, are limited access to potable and clean water; malnutrition; inadequacy of maternal and child healthcare services and inadequacy of reproductive health education and family planning. The Ministry of Health (MoH) has been exerting major interventions to address the health service challenges followed by marked improvements in the status of community health. The health service in Eritrea started during the liberation movement producing barefoot

[6] Proposal NUEW Socio-economic development action plan for 2001-2005

doctors, nurses and other qualified health staff. Today's success is founded on the previous unprecedented hard work and achievements of the health unit.

11. The majority of Eritrean women are employed in agriculture. The estimated total number of the permanent civil service in Eritrea is 21,000 out of which women comprise 30.02% and 33.5% of the contractual employees. The female share of the economically active population is estimated to be 5.1% professional and technical field, 0.2 in administrative and managerial posts, 5 percent government and clerical, 5.7 in sales, 17.3 in services, agriculture 50 percent and 15.5 in production and related work. Therefore, to improve the employment rate of women the government is taking an equal employment opportunity policy and legislation.

12. The border conflict had been a major setback in implementing and expanding all development tasks in general and those that implicate women in particular. The situation has exacerbated the living condition and compelled over half a million Eritreans to be IDPs. Women and children suffered most in this conflict. Thus, such conflict must be resolved peacefully and legally.

13. Although some ministries have already established a system of collecting and keeping statistics in a gender-disaggregated style, a consistent approach that embraces all government line ministries, private sector, non governmental organizations and other concerned institutions needs to be integrated and streamlined.

14. In the preparation of this report, all government sectors, non-governmental organizations, civil society and other relevant institutions were consulted and involved, allowing them to contribute a commendable input.

Part II

Article 1-3: Definition of Discrimination and Policy measures

The Eritrean Constitution ratified by the Constituent Assembly, on May 23, 1997 piaces strong commitment to human rights and gives explicit and specific attention to sexual equality and constitutional rights of women. Moreover, it recognizes the heroic role of Eritrean women that ensured the foundation of equality between sexes and forbids any discrimination on the bases of sex at the outset.

The Preamble of the constitution reads as follows:

> *Noting the fact that the Eritrean women's heroic participation in the struggle for independence, human rights and solidarity, based on equality and mutual respect, generated by such struggle will serve as unshakable foundation for our commitment to create a society in which women and men shall interact on the basis of mutual respect, solidarity and equality.*[7]

Article 7(2) – On Democratic Principles - prohibits any form of discrimination against women and reads:

> *Any act that violates the human rights of women or limits or otherwise thwarts their role and participation is prohibited.*

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7 The Constitution of Eritrea

This Article is supplemented further by Article 14 on Equality under the Law, reads:

> *All persons are equal under the law*
>
> *The National Assembly shall enact laws that can assist in eliminating inequalities existing in the Eritrean Society.*

In line with the principles and provisions of the Constitution various legislation and policy guide- lines were developed. The Macro Policy of the government of the State of Eritrea could be stated as an example which, defined policy objectives on gender issues as follows:

a. *All efforts will continue to be under taken to sensitize and enhance the awareness of the society on the decisive role of women for the socio-economic, political and cultural transformation of the country.*

b. *The equal rights of women will be upheld and all laws that subtract this right will be changed.*

The Ministry of Justice established a law reform committee in 1997, which is authorized to revisit reform and or repeal the colonial Civil and Penal Code. The new code is therefor under the process of being drafted. Nevertheless the colonial code, which was has been adopted and reformed in 1991(right after independence), stipulates under the law reform proclamation No.1/1991 that all discriminatory clauses and connotations should be excluded protective legal measures included instead, henceforth it is called the Transitional Code of Eritrea (TCE). To mention a few of these measures:

- Marriage is based on the free consent of both partners, and needs no parental consent. The legal age for marriage was raised to 18 years from 15.
- Women can enter into marriage freely and are afforded equal rights as men.
- Bride price and abduction became prohibited by law.
- Articles 708-721 of the colonial Civil Code, on irregular unions, have been abolished because they do not provide any legal protection of women's rights upon marriage, divorce and succession.
- The death penalty commuted to life imprisonment for convicted women who may be pregnant or have children under three years was abolished.
- Abortion, although still punishable under the Penal Code, is permitted in situations where a physician can certify that the woman will suffer grave and permanent damage due to severe physical and mental stress, or when the pregnancy has resulted from rape or incest.
- Rape is punishable under the law with a maximum sentence of imprisonment of up to 15 years. Pornography and other indecent and obscene exposures are also punishable under the penal code.
- Article 635, which, bluntly glorifies the marital power of the husband, was automatically repealed and was replaced by Art.45 of EPLF's family law which recognizes the equal rights and status of both the sexes, and keeps the interest of the children and mother of the family.

A New proclamation of land tenure, No. 58/1994 aiming to abolish the traditional land tenure system, was legislated. It will be discussed under Article 14 of the convention.

The new Labor Proclamation of Eritrea No.118/2001 has been legislated. It provides for the legal protection of women in employment and will be discussed further under Article 12 of the Convention.

The National Service Act No.82/95 was proclaimed in 1995 indicating that all Eritrean citizens above 18 years of age regardless of sex have the obligation to serve in national service. To this effect girls are currently serving in the line of duty under the national service programs.

Article 4: on Special Measures (Affirmative Action)

The Eritrean Constitution had made it clear under Article 7 paragraph 1 that:

> *It is a fundamental principle of the State of Eritrea to guarantee its citizens broad and active participation in all political, economic, social and cultural life of the country.*

In addition to this, the National Charter,[8] the ideological guideline and principal document of People's Front for Democracy and Justice (PFDJ), magnifies the issue of women as a major social issue and explicitly states:

> *A society that does not respect the rights and equality of women can not be a truly liberated society. During the years of struggle, big changes occurred for Eritrean women. Seen as weak and passive creatures, of less value than man, the Eritrean woman transformed herself into a formidable fighter when her erstwhile-suppressed strength was allowed to express itself. Our revolution would not have succeeded without their participation.*

Despite the traditional barriers the role of women in the society and nation building was further acknowledged, the charter states "*the role of women in society and in the family should be given greater recognition. Eritrea can not modernize without the full participation of women...Eritrea must be a country where both genders live in equality, harmony and prosperity.*"

These are the basic principles and ideological belief of the government upon which the right's of Eritrean women is founded and embedded.

In the EPLF 3rd Congress of 1994, extremely important resolutions were passed in reference to women's rights. To mention but few:

Resolution XI -on enhancing social position of women states:

1. *The congress reaffirms its categorical rejection of all ideas and practices that oppress women and detract from,*

2. *The Congress resolves to struggle to draw up and implement programs to enable women to consolidate their political and social status, guarantee their economic freedom by enhancing their role in production and broaden their access to education and training so that they may become self sufficient and maximize their contribution.*

[8] National charter for Eritrea, approved third congress EPLF, 1994

To attain the desired level of participation however, it is imperative that certain affirmative measures be adopted, since the traditional values, practices and attitudes are so deeply entrenched that they are likely to hinder any progress made towards gender equality. The government of Eritrea agrees (as it is clearly stated in the Convention), that affirmative action is a temporary special measure aimed at accelerating the de facto equality between men and women.

The approach of the affirmative action measures can be generally categorized as the inclusion of women in important government decision making bodies and general affirmative actions used to boost women/girls participation in social, economic and cultural aspects of society and overall development processes thereby closing the existing gender-gap. For instance:

1) Introducing a quota system both in District Assemblies and National Parliament elections. 30% of the National Parliament seats are reserved for women. To this effect today women hold 30.5% seats in the District Assemblies of which 93% came through the quota system.

2) Allocating rewards in cash and in kind to parents in the remote areas who would send daughters to primary schools.

3) All development projects proposed from community would grant funds, only if women's interest and participation are explicitly incorporated i.e. 50 percent of the beneficiaries must be women etc.

4) Land Tenure committees and other rural development initiatives should include women.

5) Employment oriented technical and vocational training courses are specifically organized for women to ensure their participation in non-traditional jobs.

6) To keep the gender balance and encourage girls participation in higher education, slightly lower entry scores (if 2 points for boys 1.8 points for girls for instance) in university, nursing school, technical school are introduced.

7) All Sport Federations to reserve seat for women etc.

Special attention should also be given to the development of gender sensitive approaches and the inclusion of women's concern in policy formulation and program implementation. For instance, the Ministry of Education (MoE) introduced gender training classes for all headmasters, teachers and other educational officers to widen their perspective and sensitize them to gender issues in the context of promoting girls' education and enable them to easily identifying and avoid discriminatory attitudes and social practices. Of course this does not hold true to all government sectors.

To this end a comprehensive National Gender Policy framework and corresponding plan of action that cuts across all sectors and institutions to foresee the implementation of gender mainstreaming through affirmative actions is an immediate task that the government of the State of Eritrea is planning to undertake fully.

Article 5: Measures on Gender Stereotyped roles

Traditionally women are considered as supplementary rather than vital members of the family. Men's control over women is reinforced by religious and traditional barrier strongly enshrined in customary laws and taboos.

There are certain myths and proverbs that play a major psychological role in directing and shaping the current stereotyped roles of women in society. To mention a few:

'As Donkey has no horns, women have no hearts'
meaning that women have no wisdom and no sense of judgement. This is one of the dominant proverbs in traditional Eritrea that has been inculcated in society over several generations. This encouraged and continues to encourage male members of a family to be the decision-makers and assume superior roles while women remain inferior and marginalized, restricted deliberately to domestic duties.

When a son is born they ululate seven times and for a girl three times i.e. a baby girl is considered a mere liability to the family. A mother of a son is socially praised accepted while a mother of baby girl is rejected and neglected. Hence a girl is marginalized and discriminated as she begins to join her community, on the day of her birth.

Women, and indeed girls, were brought up with many restrictions: they were not allowed to participate in the so called 'male roles' i.e. never had been village chiefs; never joined social gatherings, had little or no schooling; are not expected to jump or laugh loudly; restricted from standing in village courts (they could only be represented by a male relative) etc. All this contributed towards shaping the existing inferior female stance in the Eritrean society today.

Enormous efforts were made by the EPLF during the national liberation struggle (as early as 1977) to break all traditional barriers, eliminate social prejudices and encourage new roles of women. Indeed, the inception of the concept of equal status of women and men started to emerge.

For the first time in their history, Eritrean women were allowed to join the liberation movement taking up arms and fighting side by side with their male counterparts; organize themselves into women's organizations; participate in democratic elections of village councils becoming decision-makers within their communities; own land in the new land tenure system; participate in rural schools; participate in literacy campaigns for women etc. This revolutionary action dramatically changed the traditional role of women and promoted their equal status in Eritrean society paving a way for the notion of equal access and opportunity in life.

The NUEW

The founding of NUEW as a mass organization of women in the effort of organizing and strengthening Eritrean women's role and participation was a major leap towards women's liberation efforts. Soon after its founding congress in 1979, its membership and network expanded dramatically within and outside Eritrea embracing women with various social backgrounds. Through this organization women's participation in the armed struggle for independence was enhanced and a solid foundation of equal opportunity and participation of women in all walks of life was laid.

The mission of NUEW is to ensure that all Eritrean women confidently stand for their rights and equally participate in the political, economic, social and cultural spheres of the country and share the benefits.

The objective is to

1. Eliminate all forms of discrimination against women
2. Create an environment conducive to the effective and meaningful participation of women in all sectors of national development

3. Enhance the quality of life for women as well as the community at large
4. Sensitize and enhance gender awareness to women and society at large
5. Eradicate illiteracy among women, and provide skills training
6. Build the institutional capacity of NUEW
7. Ensure and increase women's participation in decision making and political leadership
8. Improve women's health and fight against harmful traditional practices
9. Strive to have a productive, creative workforce of women who can play a decisive role in the national economy
10. Conduct research on women's issues and disseminate relevant information
11. Promote women's legal rights
12. Strive to alleviate and socialize domestic chores.

In order to meet its goals and objectives, the NUEW initiated a lot of projects and programs contributing extensively towards changing the status of women in social, political, economic and legal matters.

However, NUEW needs to be empowered structurally to play an extensive role in monitoring the effective gender mainstreaming activities within the government sectors and other agencies.

Bearing in mind that ensuring women's right is not an exclusive responsibility of women and their organizations, other government and non-government entities are also contributing their input towards women's development agendas.

The Ministry of Education for instance, has taken concrete action to combat gender stereotyping within the education system i.e. revising and engendering curriculum, printing new text-books featuring progressive roles of girls/women ; and organizing gender sensitization workshops for school personnel. Nevertheless, little has changed at the level of professional education since the rate of achievement for girls at higher levels of education is insufficient.

To a certain extent, there currently exists, certain media coverage of some of these issues on Eritrean TV and Radio Broadcasting Agencies. Panel discussions on social issues, stories of female role models and their success stories, a reserved column featuring women's role in the national daily news paper and broadcasting radio dramas in an attempt to nullify and diminish the perceived sex stereotype roles are organized. However, a consistent and well-organized media program is required to obtain fundamental change on the well-entrenched attitudes and social prejudices within the Eritrean Community. Certainly, inculcating a new perception will not be an easy task and should be a long-term plan that is well budgeted by concerned government sectors.

Certain regulations and administrative measures taken by the government of the state of Eritrea contributed enormously in changing the stereotype sex roles of women. Abolishing child marriage and limiting the minimum age marriage for girls to 18; ensuring equal access to primary schools for all children aged seven and above, making education free and compulsory; and giving equal opportunity or treatment of employment and maternity protection and benefits under the labor proclamation No.118/2001, are basic interventions that are shaping the changing attitude of Eritrean society.

When the Eritrean Constitution was being drafted, a controversial issue was raised with regards to the wording of the document. It was then agreed that for technical linguistic reasons (to avoid he/she style) a male wording would be used. However to avoid any confusion and abuse the wording of the document the commission decided to dedicate an article of clarification. Article 5 on Gender Reference was deliberately incorporated to reassure that the document is not gender biased or stereotyped and reads:

Without consideration to the wording of any provision in this constitution with reference to gender, all of its articles shall apply equally to both genders.

Traditionally maternity and child rearing is considered as the sole function of a mother not as a social function or a common responsibility of both parents. Mothers and girls are obliged to carry the domestic load and are discouraged from participating in any social and political aspects of life. However, through the course of time, family education and cultural transformation, parents are beginning to bear common responsibility. This change is more vivid among parents with education compared to parents with no education.

The Eritrean Constitution under article 22- on *Family affairs*, clearly stipulates that the family is the natural and fundamental unit of society; that men and women of full legal age shall have the right to found a family freely and that they shall have equal rights and duties as to all family affairs. It further states the complementary role of the parents and children in a family, which is the foundation of Eritrean society.

3. Parents have the right and duty to bring up their children with due care and affection; and, in turn, children have the right and the duty to respect their parents and to sustain them in their old age.

In case of divorce the Eritrean family law gives legal protection to children by providing provisions of child custody, maintenance and support by both the parents. Children are entrusted to their mother up to the age of five years, unless there is a serious reason to decide otherwise.

In addition to this the government of Eritrea ratified the Convention of Child Rights (CRC) in 1994. In view with that family education and popular consultations are organized to popularize the provision of CRC and to grant proper understanding that the interest of the children is primordial consideration in all cases and that both parents should be held responsible in the upbringing and development of their children.

Bearing in mind that constitutional and legal protective measures need to be augmented by family life education, different concerned government sectors and non-governmental organizations are involved in awareness raising activities to promote the proper understanding of maternity as a social function and the common responsibility of parents to care for their children.

The NUEW through its health education activities among women and community, promotes the widespread understanding of the family as a fundamental unit of society; the complementary and interdependent nature of women and men in a family; the mutual sharing of parental responsibility of children, domestic work, economic life and other family concerns. This program was conducted in 286 villages for over 19,800 participants in the last three years.

Conducting family education among the community is more effective and efficient when multi-sectoral or an integrated approach is followed as a pattern. So far, there is no inter-sectoral program developed and conducted with the aim of changing the prejudice on women and girls. In the future the NUEW could play a spearhead role in mainstreaming effective programs to this end.

There are certain programs that are currently taking-off such as early childhood development (ECD) a project focusing on child development and the role of parents and society. HAMSET (HIV/AIDS, Malaria, Sexually Transmitted disease and Tuberculosis) is another project that basically aims at reducing transmission of HAMSET diseases but with a component of family education and gender training. Ministries of Health, Education, Labor and human welfare, Agriculture, Fisheries, NUEW, NUEYS etc. are widely involved in both the activities.

Article 6: Women Trafficking

Any form of trafficking in women, infants and young persons is prohibited by law and is considered a criminal act. Traffic is considered an act of human exploitation and involvement in organization, arrangements or provisions of any kind for the traffic is punishable.

The criminal code stipulates further, whosoever, for gain, or to gratify the passion of another:

a) *traffics in women or infant and young person, whether by seducing them, by enticing them, or by procuring them or other wise inducing them to engage in prostitution even with their consent; or*

b) *keeps such a person in disorderly house or left her out to prostitution is punishable under the transitional criminal code.(Art. 605)*

It is a known fact that young women seem to be involved in prostitution mostly for economic reasons (high unemployment rate, school dropouts, poverty etc) and the influence of the growing trend of the Tourism Industry in the country. Although the Ministry of Tourism does not encourage mass tourism, it is still recommended to develop a safety and protection strategy to minimize the effects of tourism based prostitution.

It is a controversial issue whether to consider a prostitute a criminal as a person, and on the other hand register and license prostitution as a commercial sex work (as was during colonial era). Currently, soliciting by prostitutes, leaving on the earnings of prostitution, the enslavement of women for sexual purposes and keeping of brothels is prohibited by law.

Article 604 on habitual exploitation of the immorality of others stipulates:

Whosoever, for gain, makes a profession of or lives by procuring or on the prostitution or immorality of another, or maintains, as a landlord or keeper, a disorderly house, is punishable.

Underage prostitution and traffic is barely seen nevertheless, it needs to be substantiated by facts, hence a comprehensive research will be required in the future.

Pornography as an act of immorality, public indecency and outrage against morals is a crime (Art. 608); and whosoever makes imports or exports, transports, receives, possesses, displays in public, offers for sale or hire, distributes or circulates writings, images, posters, films or other objects which are obscene or grossly indecent, or in any other way traffics or trades in them, is punishable under the law (Art. 609/a).

Currently there are certain on going initiatives focused on reducing and or diminishing prostitution by creating alternative jobs addressing the various social and economic causes. The Ministry of Labor and Human welfare (MoLHW) is the responsible body in implementing government policy in this regard by organizing rehabilitation programs for the victims of prostitution in the country.

The government is undertaking prevention and rehabilitation programs of commercial sex workers (prostitutes) through the Ministry of Labor and Human Welfare (MoLHW). The objective of the program being:

1. to rehabilitate commercial sex workers who were drifted to become prostitutes due to social and economic problems
2. undertake preventive programs by identifying the root cause

3. sensitize and empower communities to support the rehabilitation programs
4. health education on HIV/AIDS and STD

This program began in 1999 and various counseling services and employment focused vocational training had been provided. So far over 132 commercial sex workers (CSW) have been rehabilitated after acquiring marketable skills, and over 740 young CSW throughout the country are currently engaged in rehabilitation activities of the ministry.[9]

There is also a pilot project on the "*rehabilitation of commercial sex workers*" running under one of the local NGOs[10] with a limited capacity. Here, prostitutes are encouraged to resign from such acts and are provided consultations on HIV/AIDS and other sex related diseases as well as marketable skills training. So far about ninety women have joined the rehabilitation program and thirty have started a new life engaged in small-scale business. Over one hundred prostitutes were interview and all most all said that they are ready to abort prostitution as a means of leaving if they are supported with other alternative means.

A joint program on *safe life* in connection with HIV/AIDS has been launched by the Ministry of Health, NUEW, NUEYS and other stakeholders in an attempt to reduce unsafe sex, prostitution and to discourage young women and men's involvement in such acts.

Article 7: Women in Politics and Public life

Eritrean women's participation in the political arena began with the inception of the national liberation struggle. Women constituted over 30% of the National liberation army during the liberation movement in the Eritrean Peoples Liberation Front.

What was achieved during the liberation movement was sustained after the independence of the nation by guaranteeing women constitutional rights to participate in any position of leadership, to vote and to run as candidates in elections for any political seat in the National Assembly as well as Regional and Village Assemblies.

Article 7 paragraph 4 of the Constitution states:

> *Pursuant to the provision of this constitution and laws enacted pursuant thereto, all Eritreans, without distinction, are guaranteed equal opportunity to participate in any position of leadership in the country.*

The Constitution on the - Right to Vote and to be a candidate to an elective office- reads further

> *Every citizen who fulfils the requirements of the electoral law shall have the right to vote and to seek elective offices (Article 20)*
>
> *All Eritrean citizens, of eighteen years of age or more, shall have the right to vote (Article 30 of the Constitution)*

[9] MoLHW Sex workers Rehab. Program
[10] The Lutheran Church

Although the Constitutional and legislative provisions do not hinder women from running in elections and holding decision-making positions in government and private organizations, in reality however, there are very few women in political, in public life and other top positions.

> The participation of women in political campaigns and constitutional processes has been pivotal and probably more pronounced than that of men. However, the relative number of women holding different levels and positions of authority in political institutions remains low. Constitutional and legal measures of 'affirmative action' have been taken to redress this imbalance. But 'affirmative action' should not be misconstrued as a lasting and permanent solution. It is in deed a stopgap measure that will be resorted to, so as to create a level playing field. It is not otherwise a solution or an end in itself. In this spirit, we have to ensure its rigorous application until we reach the desired stage where women can compete on an equal footing.
>
> *Address by H.S. President of Eritrea, Isaias Afewrki, at 20th Anniversary of NUEW Nov.27 1999*

The government introduced the quota system (as an affirmative action) to boost the participation of women in political decision making bodies at the grassroots level as well as national levels. The proclamation No.86/1996 on the formation of Regional Assemblies stipulates that 30% of the seats would be reserved for women and that they will also contest on the remaining 70% seats. The impact of the quota system marked remarkable change in the degree of women's participation in the political affairs. For instance women's participation in the regional assemblies increased from 20% in 1996 to 30% in 1998 i.e. out of 399 members of regional assembly in six regions 122 are women.

Women constitute 22.2% of the National Assembly and an average of 30.5% in the six Zoba[11] Assemblies. The break down shows in Zoba Maekel 37%; Zoba Debub 30%; Zoba Anseba 28%; Zoba Gash-Barka 29.7%; Zoba Southern Red Sea 27% and 29.5% in Northern Red Sea.

In all the previous election processes at national and regional levels the female voter turn out was very high. Election for village council of administration is currently taking place across all the sub-regions in the country without reserving seat or applying quota system, for the first time. The election is free and democratic where eligible members of the village (men, women) are running for office in open contest basis. Although it is not possible to compile the statistics in this report, women seem to get certain votes based on their capacity to lead and administer the village community.

Today, Eritrean women's participation in National Parliament stands among the highest compared to women's share in other African countries. According to the women in Parliament, world classification statistics of Nov.2002, Mozambique (30%); South Africa (29.8%); Ruwanda (25.7); Namibia (25%); Uganda (24.7%); Seychelles (23.5%); Eritrea (22%) are among the highest while the rest African countries range between 0.0 to 19 percent.

11 *Zoba* meaning Region

To further ensure women's equal access to and full participation in power structure and decisions making several women are appointed to higher positions. Currently there are three women Ministers (18% of the Cabinet of Ministers) holding the position of Justice Minister, Labor and human welfare and Tourism. In addition to this there are some High-court Judges, Attorneys, Director-generals and Directors.

There are 3 women out of 19 members in the Politburo (15.7%) of PFDJ and 12 women out of 75 Central Committee members (16%). Women played and are playing a remarkable role in the political activity of the country. Almost fifty- percent of the members of PFDJ within the country and the Diaspora are women.

Table 1: Gender breakdown in higher government posts

No	Government Post	1998			2002		
		No. of Women	Total	% of Women	No. of Women	Total	% of Women
1.	National Assembly	33	150	22%	33	150	22%
2.	Ministers	2	17	11.7%	3	17	17.6%
3.	Director Generals	-	-	-	-	-	-
4.	Directors						
5.	Regional Governor	0	6	0%	0	6	0%
6.	Sub Regional Gov.	3	53	5.7%	NA	NA	NA
10.	Ambassadors	2	18	11.1%	1	30	3.3%
	Councelors	1	13	8%	1	9	11%
	Consulate general	1	6	10.7%	1	5	20%
	First- Secretaries	0	19	0%	2	26	7.6%
	Second " "	1	31	3.12%	2	37	5.4%
	Third " "	2	23	8.0%	5	9	55.5%
11.	High court Judges	14	89	16%	3	25	12%
	Regional court Judges	--	--	--	5	41	12%
	Sub/Region Judges	--	--	--	5	23	21.7%
12.	Attorneys				9	54	16.6%

Source: MoL, MoJ and MoFA

The Army (Ground, Air and Naval forces), Civilian Police, Immigration Police etc. have been generally considered male profession. Eritrean women's participation during the liberation movement was however, a unique phenomenon, where women comprised 30% of the National Liberation Army and played an unprecedented role that left a strong impact in the current formation of the defense force and women's participation.

To this effect, to date, women's participation in the national defense force is tremendous both in the regular army, the reserve army and the national service. Currently women comprise 3.09% in the ground-force; 3.30% in the Naval force; 8.92% in the Air force; 10.36% administration/support staff within the Ministry and over 400 women officers operational in the Military. Eritrean women's presence in the Police Force reaches 19.6% and they comprise 7.9% of the total Police Officers category.

Women are also fairly represented in the NGO community such as NCEW and NUEYS the national organizations that represent respectively the workers and youth/students in the country. Out of 39 members of Central Committee in the NUEYS, for instance women comprise 30.7% with one in the executive position. Women comprise 27% at NCEW Central Committee and one in the executive committee. Both organizations have established a gender unit in their structure which is toddling up and taking concrete actions towards women's advancement.

There are various professional public organizations such as Teachers Union, Nurses, Doctors, Engineers associations, Sport Federations, Trade/business Associations, Chamber of Commerce etc. where women have marked active participation. However, these organizations are urban centered and automatically rule out the majority of women in the rural and semi urban areas. For obvious cultural reasons women in the rural vicinity are still marginalized from participating in such associations.

Article 8: Representation at the International level

Women have in principle equal access to diplomatic and international posts with men. In practical terms however, they seem to be less represented. There are at present thirty foreign missions, of which a woman heads only one. It is a mere fact that women do not enjoy ample representation in the work of International Affairs of the country, especially in higher positions within the administration and foreign mission. They comprise only 10% of the foreign mission. Following table illustrates further.

Table 2: Women in International Affairs

Sr.	Foreign Missions	Women	Men	% Women
1.	Minister- Director Generals	Non	8	0%
2.	Heads of Mission (Ambassadors)	1	29	3%
3.	Minister-Counselors	1	9	10%
4.	Consulate General	1	5	16%
5.	Directors	1	13	7%
6.	1st Secretaries	2	24	7.6%
7.	2nd Secretaries	2	35	5%
8.	3rd Secretaries	5	4	55.5%
9.	Attaches	1	4	20%
		14	**131**	**10%**

Source: Ministry of foreign Affairs Sep. 2002

Compared to 1998 statistics on foreign mission, there is a slight improvement in women's participation particularly on the level of the First and Second Secretaries. The UN and International organizations desk within the Ministry, one of the major posts, is currently headed by a female director.

Although there is inadequate comprehensive record on government foreign delegations, women (Ministers, directors, members of Parliament, leaders of mass organizations etc) generally do participate and represent the government in various international forums and bilateral/multi lateral delegations depending most often on whether they are on the field of expertise required.

Eritrean women via NUEW represent the government in the UN commission on the status of Women (CSW); to the Committee on the elimination of all forms of Discrimination Against women, UNIFEM, IGAD women's Affairs, FAWE and other Regional women's organizations.

Of course, there needs to be more commitment and effective plan to encourage women's participation in the field of international relations. Young women should be guided, empowered and prepared professionally, in a deliberate manner, to be diplomats and represent the country internationally.

Article 9: Nationality/Citizenship

Eritrean women enjoy equal rights with men to acquire, change or retain their nationality.

Although details of Citizenship right are elaborated further in the Citizenship Act, the foundation is basically laid in the Constitution itself. Article 3 -on Citizenship reads:

Paragraph one: *Any person born of an Eritrean father or mother is an Eritrean by birth.*

Paragraph three: *The details concerning citizenship should be regulated by law.*

Accordingly, the Citizenship Act that was proclaimed under proclamation No.21/1992 is the most gender sensitive regulation and is widely implemented without serious obstacles. It states that, Eritrean nationality can be acquired by birth, by naturalization, by adoption and by marriage.

All traditional and customary laws were revoked and practices that provided that children born out of wedlock, or from non-Eritrean father could not acquire or confer nationality from their mothers, were instantly ruled out.

If an Eritrean woman marries a foreigner, she does not automatically lose her citizenship unless she herself changes her nationality. By the same token, a foreign citizen does not automatically acquire an Eritrean nationality by marrying an Eritrean woman, but can get citizenship by naturalization in due process after applying through proper channels.

Any individual born in Eritrea is an Eritrean Citizen. In addition, any individual born in Eritrea from unidentified parents is also an Eritrean Citizen.

A woman can obtain a national passport independently without the consent of her spouse. Nevertheless, in case their children will be travelling and require passport the consent of both the parents is requested. This holds true for wedlock child and the consent of his/her single parent is required.

A woman can adopt an alien child and grant him/her an Eritrean nationality.

In its totality, there are no gender-related problems in the issue of nationality.

Article 10: Education

Eritrea's current formal education is based on a four-tier system, known as the 5-2-4-4 system that will be replaced by 6-2-4-4 system beginning this year. In this system the primary education will consist of six years of schooling, two years of junior secondary education, four years of secondary and four years of higher/university education. Informal education and literacy are also provided.

The Eritrean Constitution in Article 21(1) of Chapter III – on Fundamental Rights, Freedom and Duties stipulates as follows:

> *Every citizen shall have the right equal access to publicly funded social services. The State shall endeavor, within the limits of its resources, to make available to all its citizens health, education, cultural and other social services.*

The education policy of the MoE aims:-

> To promote equal opportunity in terms of access, equity, relevance and continuity of education to all school aged children.[12]

To this effect, Eritrean women enjoy the legitimate right to equal access and opportunity with men in the field of education. Educational policy of the state of Eritrea ensures Free and Compulsory basic education for all without any distinction between sexes. All schools, Pre-primary to University follow co-educational system where all students attend in mixed classes at all levels. Nevertheless, in some remote areas a pilot project of girls' boarding schools is being introduced in an attempt to resolve the problem of distance of schools for girls at Middle and Secondary levels.

The education system expanded rapidly after the independence of the country. Construction of new schools and rehabilitation of existing ones increased markedly, the number of Primary schools for instance increased from 258 in 91/92 to 579 in 2000/01 i.e. over 55% increment. Currently there are 91 Pre-schools, 667 Primary, 142 Middle, 43 Secondary schools, 10 technical schools, 3 special schools, 2 Teacher training school and 874 literacy program centers stretched across the country.[13] Most of the schools are government owned and about 10 percent are privately run schools. Nevertheless, almost all Pre-primary schools are missionary or community run schools. There is only one University where women are poorly represented, i.e. about 14 percent.

In general terms, there have been marked changes in the educational situation of girls in the last few years, however more intervention would be required to improve the existing status. According to the EDHS 2002, 52 percent of women have no education (compared to 67% in 1995 EDHS); 27 percent have attended primary school (23% in 1995); 8.5 percent Middle school; 10.7 percent secondary school; and more than 0.9 percent have higher education. At this stage the educational opportunities are concentrated mainly in urban areas nevertheless the MoE is striving to expand the system in the rural and remote areas to provide extensive coverage.

The ministry of education holds statistics disaggregated by gender which makes it easier to follow and read the status of women in education and to undertake appropriate policy measures to close the gap and promote women's participation. The following table shows girls participation at different school years in government schools.

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12 MoE, Education Brief March 1998

13 Eritrea: Basic Education statistics 2000/01

Table 3: Girl's enrollment rate

Grades	1998/99			1999/2000			2000/2001		
	Total	F	F %	T	F	%	T	F	%
Pre-primary	11581	5413	46.7%	11,885	5704	47.9%	12436	5896	47%
Primary	261963	118385	45.2%	295941	133045	45.0%	298691	134168	45%
Junior/Middle	67021	29290	43.7%	74317	33284	44.8%	70966	32320	45.5%
Secondary	47533	17756	37.4%	59626	22093	37.1%	63951	23596	36.8%
Technical/ vocational	908	140	15.4	1018	147	14.4%	1306	291	22%
Business and Commerce	187	62	33%	190	58	30.5%	295	107	36%
Agriculture, Music and Art school	NA	NA		265	85	32.0%	128	46	35.9% **

Source: Compiled from Ministry Education basic education statistics
***Does not include agriculture*

These statistics indicate that there is no marked gender distinction in school enrolment at pre-primary, primary and middle school levels and it also shows that for the last five years girls' participation has been tremendously increasing especially at primary level. It is also well noted that girl's enrolment at primary has almost doubled in 98/99 *(118,385)* compared to 91/92 *(69,236)*.

However, if we see the net attendance ratio (NAR)[14] by region or by urban and rural backgrounds of female students, there is a marked difference that requires attention, meaning that girls in urban are attending better than girls in rural at all levels and the 45% enrollment rate at Primary and Middle school level does not really represent girls in rural area.

Table 4: Female school attendance ratio by background[15]

School level	Urban	Rural
Primary	41.5	27.2
Middle	38.1	9.1
Secondary	36.6	8.4

And in reference to technical vocational schools the participation is still very low and needs serious intervention. See the following table.

[14] NAR for primary is the percentage of the primary-school age (7-11) population that is attending school. And the same applies for middle and secondary levels.
[15] EDHS 2002

Table 5: Girls in TVET

Trade/Shop	Advanced level		
	Total	Female	Female %
Machine shop	64	3	4.6%
Accounting	100	35	35%
Banking and Finance	61	16	26%
Management	65	13	20%
Secretarial Science	69	43	62%
	Basic level		
General Agriculture	33	3	9%
Agro-mechanic	18	0	0%
Animal Science	17	14	82%
Plant Science	5	0	0%

Source: Basic education statistics 2000/01

The Ministry is planning to improve girl's participation in this area and has developed a national strategy on TVET reform which, asserts.[16]

- Increase the enrolment of female participants in TVET program to 30% by the end of academic year 2006
- All gender stereotyped skills training courses will be integrated by the year 2006
- Two vocational and gender counseling and guidance officers will be recruited for the purpose of orienting schools and communities for maximum female and minority participation
- All training courses will be open to women

School dropout rates and repeaters

The degree of achievement for girls at primary level is much higher than that of boys. However, the higher they go the less the achievement and the higher the withdrawal status. This has been a serious issue in the agenda of MoE and there is an undergoing plan of conducting a research to determine the reasons for girls having lower promotion rates and higher repetition rates than boys once they reach higher grades.

According to the policy of MoE, if a student fails twice in a given class he/she is not allowed to continue. Hence the dropout list includes students not only those who had left school on their own personal reasons but also repeaters who failed to accomplish at any level. There is no comprehensive data in the MoE that indicates the number of pregnant girls at high school level and their status.

Nevertheless, although it is not codified in Legal Education Act, girls have administrative protection in case of pregnancy and are not dismissed and have the right to attend and resume their schooling what so ever. In practical term however, once girls are engaged in early marriage or unwanted teenage pregnancy they become reluctant to continue learning.

[16] Eritrea education and training sector note, 8 July 2002

Table 6: Repeaters by grade and gender

Grades	1998/99		1999/2000	
	Male %	Female %	Male %	Female %
Elementary	20.43	22.32	14.3	15.2
Junior	16.29	27.22	16.9	24.0
Secondary	20.42	36.55	15.6	23.8

Source: Ministry Education basic education statistics

Table 7: Withdrawal by grade and gender

Grades	1998/99		1999/2000	
	Male %	Female %	Male %	Female %
Elementary	9.39	8.7	13.3	12.7
Junior	9.51	8.05	20.8	14.1
Secondary	10.03	7.39	26.0	12.5

Source: Ministry Education basic education statistics

Generally speaking certain in-school and out-of-school factors (domestic chores, distance from home to school, effects of poverty, lack of parental support, early marriage, pregnancy etc.) are the rational behind high rate of repetition and withdrawals at all grades among female students. It is amazing though to see that withdrawal is more exercised by boys than by girls, and even much higher at secondary level. The Ministry of education is planning to conduct an in-depth research and assessment to identify and address the root-cause and recommend strategic action plan to minimize the level of repeaters and withdrawals and increase the rate of internal efficiency in schooling.

To increase the participation of parents in the school program and to help them become part of the over all development of the school system, schools are encouraged to establish Parent Teachers Committee (PTC). The impact of these PTCs depended on the level of the commitment invested by each committee. In practical terms, some tend to address the low participation of girls and seek local solution while some focus on logistical support in schools.

Women in Educational Posts

The MoE is one of the Public sectors where female participation is evident. In the teaching profession womens' participation at primary level (35-40 percent) is higher compared to the secondary and middle school levels which, is 11 and 12 percent respectively. However, in technical schools (ten across the country) women teachers are barely existent, only 5 percent. There is a marked change at TTI level that was only 6 percent in 1998/99 and improved to be 30 percent in 2000/01. Pre-primary seems to be over dominated by female teachers. Refer to the following table.

Table 8: Female School Teachers

School levels	1998/99			1999/2000			2000/01		
	F %	Female	Total	F %	Fem	Total	F %	Fem	Total
Pre-primary	97%	312	321	98%	314	320	97.5%	318	326
Primary	34.9%	1951	5576	37.4%	2330	6229	36%	2710	6668
Middle	12.3%	149	1208	12.7%	167	1312	11.6%	160	1377
Secondary	11.4%	112	982	10.4%	109	1047	9.6%	115	1188
TTI	7.8%	3	38	6.25%	2	32	29.7%	11	37
Tech. and Vocational	3.9%	4	101	8.6%	9	104	5.2%	9	173

Source: Ministry Education essential education indicators 00/01

There are two women at Director level (out of 9) in the Ministry heading two sections: no Director Generals; and no Directors of regional offices of the Ministry. Therefore, one can say that all high-level educational posts are dominated by male staff. Amazingly there are very few female school principals and almost no supervisors through out the country. Hence, one can dare say women are poorly represented in the educational management portfolio.

Table 9: Female School Headmasters at Primary level

Regions	Total	Female	Female %
Debub	214	6	2.80%
Anseba	110	7	6.36%
NRS	79	6	7.5%
Gash-Barka	153	3	0.02%
Maekel	108	10	9.25%
SRSea	24	NA	

Source: MoE, Regional Office.

Scholarships and other study grants are given without distinction of sex and ethnicity, however, the participation of women on professional and higher technical education is currently very low. Although women are encouraged to benefit from scholarships setting aside certain numbers has not been considered.

Table 10: Female enrollment in University 1998-2001

Program	1998/1999	1999/2000	2000/2001
Female	540	592	652
Total	3994	4135	4628
% Female	13.52%	14.31%	14.1%

Source: Academic Affairs University of Asmara

The enrollment rate of girls in University in degree, diploma and certificate programs ranges between 13-14%. There was a slight increase in enrollment in 2001. Nevertheless, female participation remains very low compared to that of male students. Another finding from the statistics of the University is that female students seem to be biased towards social sciences. For example in the freshman program of 99/2000 only 47 female students registered in natural science while 136 registered in social science; in the fresh man program of 2000/01 there was a total of 62 in natural science while 128 in the social science program. Although it is very difficult to come to a conclusion, one can say that there is a tendency of female students to prefer social programs.

Table 11: Female University Graduates 1991-2001

Colleges	Degree			Diploma			Certificate			Grand Total	
	M	F	Total	M	F	T	M	F	T	T	%
Natural Science	686	79	765	-	-	-	20	2	22	787	16.6
Health Science	66	17	83	34	4	38	--	-	--	121	2.6
Arts and Social Science	462	64	526	164	42	206	105	33	138	870	18.4
Business, Economics	882	156	1,038	290	164	454	262	77	339	1,831	38.7
Education	85	15	100	212	15	227	-	-	-	327	6.9
Agriculture and Aquatic Science	407	59	466	11	4	15	-	-	-	481	10.2
Engineering	75	2	77	228	14	242	-	-	-	319	6.7
Total	2,663	392	3,055	939	243	1,182	387	112	499	4,736	100
%	87.2	12.8	100	79.4	20.6	100	77.6	22.4	100		

Source: Compiled from University statistics

In reference to academic post within the university the appointed females are very few. For instance, there are two female Deans (out of 8) and one director out of nine directors.

The establishment of a Center for Gender Research, Studies and Resources (CGRSR) at the University of Asmara has been proposed recently. The center will be governed by a steering committee as appropriate to the University structure and assisted by an advisory committee from linkage institutions (MoE, NUEW, NUEYS) and other organizations.[17]

The purpose is to establish CGRSR as a center of expertise and excellence in regard to women's and gender issue, generating reliable data for national policy, and focusing primarily on education. The center is expected to play a pivotal role in defining the critical issues, generating the required knowledge and developing the information for strategic approaches to assure women's involvement in the nation's development.

Curriculum and Gender stereotyping

Male and female students have access to the same curricula, the same examinations, same assessment technique, school discipline measures, equally qualified teaching staff, school premises and equipment of the same quality. Nevertheless, even if all subjects are compulsory and accessible to all students, there can still be an access issue when and if the following instances are to happen:

1. girls are harassed or intimidated by boys when taking lessons in particular subject (pupil/pupil interaction)
2. the content of the curriculum of a particular subject is familiar or relevant to boys but alien to girls (relevance)
3. teachers give boys preferential treatment, consciously or unconsciously, over girls in particular subject matter areas (preferential treatment)
4. girls are systematically discouraged from pursuing a particular career path or are left unaware of career opportunities in a particular subject area (constrained career choice)[18]

To this effect, significant effort has been exerted by the MoE to identify gender-stereotyping issues and engender the curriculum in the education system. So far, certain stereotyped concepts and pictorial illustrations have been eliminated from the teaching aid materials i.e. school textbooks, teachers' guide, brochures and posters. However, more needs to be done in terms of changing or improving the language of the text books and certain portrayals, which are currently male oriented.

Developing gender training manual and conducting training has been in the agenda of MoE, to promote and guarantee equal approach and treatment of both sexes and refrain from any act of discrimination in schooling. A Gender training session as an addendum subject is regularly conducted at Asmara Teacher Training Institute (ATTI) for students who would graduate to teach at Primary levels. Considering the prime importance of gender sensitization among teachers, the ATTI has recently developed a Gender Training manual, *the Gender Fair Teacher,* and will be incorporated in the curriculum of Pedagogy.

Credit should be given to the coeducation policy and the use of mixed school system followed by the Ministry, which is contributing much in reducing stereotyping in education.

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[17] Proposal for a CGRSR University of Asmara, July 2002

[18] the gender fair teacher, MOE ATTA Gender manual 2002

There is an attitude towards the subjects that girls choose in school. It has been a mindset among all, that girls prefer social subjects, considered soft, rather than natural science. This had played its role in misguiding girls to focus on the "soft" area and influenced their achievement rate in the area of Math, Physics, Chemistry, etc at high school level to be very low. For instance girls' participation in technical education is 14 percent only and promotion rate is below 10 percent. On the other hand girls/women are by far majority when it comes to commercial school in the secretarial and office management courses.

It is very much difficult to substantiate the fact that girls prefer "soft" stream in schooling since there is no comprehensive data to base that on. But it is a general fact that almost all students at middle school level are below average when it comes to Math, only 14.88% got above the promotion rate who sat for the National exam for grade seven.[19] The MoE supported by UNICEF/UNESCO conducted a survey on Monitoring Learning Achievement (MLA) in 2001 in sixty Primary schools representing six regions and all ethnic groups. Grades three and five were targeted and the result showed that both students scored less in the area of Math and general knowledge, girls' performance was by far lower compared to that of boys. See the following table.

Table 12: MLA on Grade Five

	MML			DML		
Learning Areas	**M**	**F**	**Sig.**	**M**	**F**	**Sig.**
English	59.1	48.5	0.000	16.1	9.5	0.000
Mother Tongue	72.7	74.4	0.397	19.0	15.6	0.045
Mathematics	16.5	10.5	0.000	3.3	1.20	0.001
General Knowledge	40.0	25.0	0.000	3.4	1.1	0.003
Combined	36.6	26.8	0.000	3.3	2.4	0.001

Source: MOE, Basic Edu. Department 2001

The survey does not actually indicate the rationals behind these findings as to why girl's performance is lower than that of boys and whether this is influenced at all by the gender stereotyping approach in the learning process. Further action is required to fill the picture.

Girl's who attended the Eritrean Secondary Education Certificate Examination (ESECE), a national examination given to qualify for University, were 2905 in 1999/2000 and only 161 (5.5%) managed to pass. This indicates that girls' performance at higher grades (actually initiated at primary level) is really unsatisfactory and requires adequate attention.

There are certain programs, limited though, conducted by NUEW and NUEYS to enhance girls' achievement in schooling especially in the field of math and other subjects on natural science by organizing make-up classes for girls weak on math and physics. The issue of reduction of female student dropout rates and the organization of programs for girls and women who have left school prematurely is yet to be addressed by the MoE.

A Policy paper on girl's education is yet to be developed by the Ministry. A UNICEF supported project on '*Survey and drafting of National policy on girls education*' is underway with the aim of establishing policy documentation.

Special Education

There are two non-governmental schools for the deaf and one government school for the blind and they accommodate a total of 213 students 50% of which are female students. The number of qualified teachers is

[19] Basic Education Statistics 1999/00

insufficient and female teachers comprise over 50%. The schools use the formal basic education curriculum of elementary level and there are no specially tailored training activities for this particular category. The 1998-2001 statistics shows no gender distinction in the enrollment and participation of sexes in this special program. According to MoE, there are of course many other children with different special needs and identification and classification of these children is going on.

Adult Education

The National Literacy Program (NLP) of the MoE illustrates explicitly that one of its main objectives is :-

To narrow the gender disparity in literacy by increasing women's participation in the literacy programs.

To this end, strong effort has been taken to encourage women's participation to reduce the high rate of illiteracy among women in Eritrea. Learning is conducted in the mother tongue to ease the process and primers and other supplementary readings are prepared in eight indigenous languages (out of nine). Over sixty rural Libraries have been established to encourage communities to read simplified books and local publications and sustain the learning process. The program is also re-enforced by opening radio listening centers where women and other members of the community enjoy listening to the adult education radio program in their respective classes.

Ninety percent of the participants in the NLP are women comprising farmers and semi-nomads. Women's participation in general is very high among two ethnic groups (23-64%) while in the rest of the ethnic groups it is still very low (1-3%). The Division of Adult Education (DAE) and other concerned sectors should place special emphasis on intervention for these disadvantaged groups. Classes are conducted in over 1045 centers across the country. By the end of the course students will have reading and writing skills and know basic math.

Over 52,000 Adults enrolled in the literacy programs facilitated by the MoE/DAE in the year 2000/2001 of which 90% were women.[20] The secret of the success of the program was the participation of over 2500 young female teachers reaching every village and every literacy center to educate with zeal and commitment the vast number of adult female participants.

The program was spearheaded by DAE with remarkable cooperation from local governments and the NUEW. For instance based on a request from NUEW and MoE/DAE, in Feb.2002 the WFP begun to provide food aid to the MoE "Food for Training" (FFT) that covered 6000 beneficiaries in 72 Adult literacy sites in Anseba and NRS regions. The DAE noted improvement in class attendance and reduction in dropout rates to this effect.

Table 13: Women's participation in literacy programs

Zoba/Region	1st level			2nd level			3rd level		
	M	F	F%	M	F	F%	M	F	F%
Maekel	10	1564	99.3	15	1046	98.5	7	205	96.6
Debub	1001	13592	93.14	300	7097	95.9	57	2095	97.3
Anseba	638	4419	87.38	308	2521	89.1	158	1201	88.3
Gash-Barka	1580	6310	79.97	399	2646	86.8	84	506	85.7
S.K.Bahri	272	2481	90.11	111	1115	90.9	17	449	96.3
D.K.Bahri	133	382	74.17	20	67	77	2	23	92
Total	3,634	28,748	88.7%	1,153	14,492	92.6 %	325	4,479	93.2%

Source: Ministry of Education DAE Statistics 2000/2001

20 Brief report of the literacy ... Aug.2002

DAE was awarded UNESCO's International reading Association Literacy Prize in July 2002 as a token of best performance in literacy programs.

Prior to the NLP that started in 1997, the NUEW and other local NGO's managed to wage a vast and successful campaign on illiteracy among women across the country where over 30,000 women and girls were able to attend.[21]

As an aggregate effect, a marked improvement has been scored on the level of literacy of women in the last five years. Currently 49 percent can read and write compared to 34.1 percent in 1995.

Sports, Visual Arts and Sex education

Girls are not segregated in joining sports activities in schools and youth clubs and visual arts classes. Since physical education is part of the syllabus in the school program and at the same time a compulsory subject that should be attended by both sexes without distinction, no noted problem has been registered. In addition to this, women are appointed to be members in all sport federations under MoE.

Sex education as such formally begins at Middle school level as part of Biology class addressing the teenage population in school. The most pertinent program on sex education at Secondary level is, however, best delivered by NUEYS' youth consultation activities where HIV/AIDS, family planning and teenage pregnancy are widely raised.

Finally, the success of education program in general and the enhancement of girl's education in particular depends mainly on the coordinated effort of the 'three pillars of education' i.e. the parents, the students and the government.

Article 11: Employment

Employment[22] has various facets among women, some are full time government and private sector employees, some are part time workers, and others are self-employed while some others are seasonal employees. More women are employed in the city and towns compared to the rural areas.

Ninety percent of urban women, who work, work for cash. On the other hand, rural women generally do not get paid in cash for their work and are likely to work for themselves and for relatives (around 40 percent). Information on the current occupation of employed women shows that majority of working women (55 percent) have agricultural occupation; 44 percent work on their own land, 6 percent work for others, and 5 percent work on family land. Women who are not working in Agriculture range from 9 percent in sales/services to 13 percent working as household and domestic workers. One in ten employed women have a professional, technical, or managerial occupation.[23]

The female share of the economically active population is estimated to be 5.1% professional and technical field, 0.2 in administrative and managerial posts, 5 percent government and clerical, 5.7 in sales, 17.3 in services, agriculture 50 percent and 15.5 in production and related work.[24]

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[21] NUEW report to GMA on illiteracy 1994-1996

[22] employment is defined as receiving payment in cash or in kind for work

[23] EDHS 1995

[24] Ibid., statistics covers women age 15-64

A recent survey on HRD in industry conducted by MoTI showed that the industrial sector in Eritrea is still relatively small employing some 25,000 employees, the main industrial sub-sectors being, textiles, leather and footwear, metalworking and metal as well as the non-metallic industrial sub-sectors. The gender composition of the labor force seems to be significant comprising 40% of the employees.[25]

This was more elaborated by a study of the private sector with focus on the Micro, Small, and Medium Enterprise (MSME)[26] which indicated that about 40% of the total MSMEs labor force in the country are female. Among the three basic groups of MSMEs (micro, small, medium), about 45.7% of the labor force in micro group consist of female; in the small group 37.9% and in the medium group 28.8%. Within the micro group itself, MSMEs in manufacturing have the highest proportion of females (69%) compared with trade (41.9%) or services (24.8%). See following table.

Table 14: Aggregate proportion (%) of females in the total labor force within certain categories of Eritrean MSMEs[27]

Size location and Gender grouping	Percent of Females in Economic Sectoral groups			Total
	Manufacturing	Trade	Services	
Size Groups:				
Micro	69.0	41.9	24.8	45.7
Small	29.0	45.5	24.9	37.9
Medium	22.9	36.9	26.0	28.8
Location groups:				
Urban	36.7	45.4	26.2	40.0
Rural	74.4	37.3	19.9	46.7
Ownership type groups				
Males only	9.7	21.9	7.8	17.0
Females only	89.0	77.9	74.3	81.1
Male-Female both	46.5	36.7	27.0	36.3
Branch of Corp.	24.6	29.6	31.8	30.0
Other	54.6	39.9	58.1	53.9
Total	**51.7**	**42.9**	**25.0**	**42.1**

Female-owned enterprise account for almost two-thirds of those in the manufacturing sector which includes smaller activities such as brewing of local drinks, basketry, mat making, etc. In the services women are less prominent, except in hair saloon, hair braiding and the rental services. In trade areas more than half of the hotels, guest houses, restaurants and bars, tea houses, traditional drinking saloons, vending food and non-food items are female owned.

The proportion of females participating in the Large-Scale Enterprises (LSEs) labor force is almost identical with that found in the MSMEs group. Thus 41.5 percent of the total labor force in LSEs are women compared to 42.1 percent in the MSMEs.

Looking at the growth rate of the labor force between the initial involvement in business and the current time, women's average growth rate is 6.56 percent compared to 4.24 percent for men.

[25] Eritrea, Human resource for sustainable development

[26] Study for private sector Eritrea, July 1996

[27] Study for private sector Eritrea, July 1996

In the Civil Service, women comprise 30.02% of the total workforce (permanent civil service employees) which is estimated to be 21,000 and 33.5% of the contractual employee.

Constitutional and legislative measures

Eritrean women enjoy Constitutional and legislative rights to work as human beings. It is evident that female employment in Eritrea has become more of a necessity than a right. This holds true since about 46.7% of Eritrean families are headed by a single mother for various reasons (widowed, divorced, separated, abandoned or unmarried) and must somehow get employed to hold their bread and manage their living.

The labor proclamation of Eritrea No.118/2001 stipulates equal employment opportunity and maternity protection benefits for women.

Article 65 of the proclamation *-on general protection measures-* reads:-

1. Women may not be discriminated against as regards opportunity or treatment in employment and remuneration, on the basis of their sex.
2. The Minister may, where a woman complains against discrimination pursuant to sub-Article (1) hereof, decide whether there is discrimination on the basis of her sex. The Minister may, where he decides there is discrimination, order the employer concerned to rectify the situation.
3. The woman or the employer may appeal against the decision of the Minister to the high court within fifteen days from the day they receive a copy of the decision.

Nevertheless, this proclamation does not administer the employees under Military, Police, Security forces; Eritrean Civil service; Judges and prosecutors; hence female members of the civil service have forty-five days of maternity leave (compared to sixty days under this proclamation) under separate labor legislation. According to CPA, a panel is in the process of drafting the Civil Service Code and is expected to be gender sensitive. Nevertheless, NUEW and other concerned sectors should be included in the panel and consulted for basic inputs in enshrining gender issues.

Eritrean women have the right to choose their profession and employment before and after marriage. They have the right to open Bank account without the consent of their spouses. Employed women exercise the right to decide on how to spend their earnings which, can be used as an indicator on their current status of women. Based on the EDHS 1995, 72 percent of women who receive cash earnings decide for themselves how to spend their money, 15 percent decide jointly with their husband/partner. Less than one half of one percent of women who earn cash reported that their husband alone decides how their earnings will be used.

Selection and recruitment

It is hard to prove the covert discrimination existing regarding employment opportunity and selection processes since selections are administered by selection committees where the existence of segregation are not ruled out. Jobs are advertised openly and are offered to both sexes except in certain instances were they look for male candidates. A survey conducted on industrial enterprises indicated that, with regard to gender preference in employment, around 46% of the enterprises prefer to employ male workers, while only 3% prefer female workers, and some 47% do not have any particular gender preference.[28]

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28 Eritrea Human Resource for Sustainable Industrial Develoment Sept. 2002

On the other hand, in few cases affirmative actions are taken to give opportunity to female candidates (e.g. Primary school teachers) to keep the gender balance. However, the share remains to be 37%.

Table 15: Placed job seekers by occupation, sex and year

Occupation	Sex	1996	1997	1998	1999	2000	2001	Total Placed	Total Registered	F% employed
Legislators, senior Officials and managers	M	6	12	2	4	-	4	28	274	
	F	-	-	-	1	-	2	3	52	9.6%
	T	6	12	2	5	-	6	31	326	
Professionals	M	111	106	184	152	32	23	608	1969	
	F	24	5	37	50	15	13	144	699	19.1%
	T	135	111	221	202	47	36	752	2668	
Technical and Associate Professional	M	99	134	59	36	19	26	373	1627	
	F	9	8	3	12	3	19	54	408	12.6%
	T	108	142	62	48	22	45	427	2035	
Clerks	M	286	436	337	249	82	70	1460	15398	
	F	132	194	261	223	169	103	1082	10297	42.5%
	T	418	630	598	472	251	173	2542	25695	
Service workers, shops and market sales workers	M	127	135	259	74	25	34	654	1321	
	F	52	83	162	80	123	78	578	1003	46.9%
	T	179	218	421	154	148	112	1232	2324	
Skilled Agriculture and Fishery workers	M	18	16	20	45	67	7	173	457	
	F	-	2	1	13	10	1	27	19	13.5%
	T	18	18	21	58	77	8	200	476	
Crafts and related trade works	M	1549	4807	2492	1222	592	870	11532	14722	
	F	68	11	83	81	72	34	349	1147	2.9%
	T	1617	4818	2575	1303	664	904	11881	15869	
Plant and Machine Operators and Assemblers	M	169	413	1248	365	161	189	2545	5546	
	F	6	24	29	31	19	3	112	104	4.2%
	T	175	437	1277	396	180	192	2657	5650	
Elementary Occupations	M	4376	8954	7373	3356	2676	1644	28379	33018	
	F	905	1570	1623	1167	1073	435	6773	15694	19.2%
	T	5281	10524	8996	4523	3749	2079	35152	48712	
GRAND TOTAL	M	6741	15013	11974	5503	3654	2867	45752	74332	71.6%
	F	1196	1897	2199	1658	1484	688	9122	29423	28.3%
	T	7937	16910	14173	7161	5138	3555	54874	103755	

Source: Labor Office employment division

The above statistics shows that women's placement at professional and senior levels is generally very low compared to the placement on clerical jobs and service works. It also indicates that only 28 percent of the total female job seekers managed to get a job. It is evident that there is a wider gap on employment opportunity compared with the male job seekers (71%).

This can raise an important issue of the process of recruitment and selection which might need a clear policy guide line for the recruitment panels to ensure not only equal opportunity of employment, but also to undertake positive discrimination to keep gender balance in employment.

Wage differentials

Wages vary according to Industry, occupation, size of enterprise and other characteristics. In the colonial era, there was a marked distinction of wages between the male and female workers. For the same type of job men's salary was posted much higher than that of the female employees. In independent Eritrea however, wages are allocated for posts and positions on merit and qualification basis not on gender differentials. Although it is clearly defined by the labor law (under Article 41) that *an employer shall pay equal starting wages for the same type of work,* in practical terms however, and in reference to private enterprises male workers are found to be paid more than female workers. It is also true that they enjoy the benefits of salary increment and promotion more than the female workers do.

Another significant phenomenon is the migration of Eritrean women as overseas workers both officially through contracts arranged by agents registered with labor office and illegally. Although in most cases they work as domestic maids, some however hold professional and highly valued jobs. They have been contributing not only to the welfare of their respective families through remittance but have become a reliable source of foreign currency to the national economy. Comprehensive data/statistics on the female workers abroad is not currently available. Article 7 of the labor proclamation stipulates the protection of the right of Eritrean workers abroad and states that the Eritrean government shall exert efforts through its embassies and consulates to ensure that the rights and dignity of Eritreans working abroad are protected.

Maternity Leave

Maternity leave and maternity benefits are protected by the labor proclamation under Article 66 and reads:-

> (1) A pregnant employee shall be granted leave with pay for medical examinations connected with her pregnancy
> (2) A pregnant employee shall be entitled to sixty consecutive days of paid maternity leave beginning from the next day of her delivery. She may, however choose to take her maternity leave in two parts, one proceeding her presumed confinement and the other after her delivery.
> (3) An employee who falls sick following the end of her maternity leave, shall be granted sick leave under Article 62 of this proclamation (allows six month leave with the first one month 100% of her wages; next two month 50% and next three month without pay).

Maternity leave does not affect annual leave in-fact each one is treated on its own right. A pregnant woman is entitled to take her maternity and annual leave combined together.

It is clearly noted that the labor law does not make any provision for Paternity leave.

Article 67 provides stable working conditions for a pregnant employee. Where a pregnant employee's job is dangerous to her pregnancy or health she is entitled to be transferred with the same wages and to be reinstated to her former job after the end of her maternity leave. She is also protected by law from being assigned on night shifts and overtime work.

Sex is considered a non-legitimate ground for termination of a contract (Art.23). It is more reinforced under Article 67 of the labor proclamation stating that an employer may neither terminate the contract of employment nor serve notice of termination to an employee on maternity leave or on sick leave that has arisen out of her pregnancy.

Child-care facility for women employees

The challenge of finding ways to combine family responsibility with work has become an extremely difficult task for many Eritrean women. With the scarcity of affordable community Kindergartens (when present, provide only half-a-day care) and total absence of day-care/nursery facilities at the workplace, it has really become a daunting responsibility for the female employees. In most case mothers in urban and rural area turn to extended family members or friends to assist with child-care. Situations are expected to improve with the current World Bank assisted program of early childhood development projects that focuses in providing childcare facilities, improving the educational component of child-care services and training of childcare attendants. The existing pre-school facility for age group 3-6 across the country reaches about a total of ninety one schools.

The issue of the provision of day-care service as a condition of work is not covered under the labor proclamation. However, under Art. 99 on collective bargaining, *an employees association shall have the right to bargain a collective agreement* when *conditions of work and the procedure for making work rules and resolving grievances* [Art.102 (4)]. Hence, the employees are expected to raise this point as an issue of collective bargaining that have a major impact on creating a conducive work environment for the female employee and the child. By the same token, a strong lobby is recommended through the employers' association and workers confederation to convince the employers and to realize the vitality of day-care facilities within the premises of the workplace.

House work and child labor

Generally speaking housework is not accounted for as work that has an impact on the GNP. A domestic employee is defined under Article 39 of the proclamation as a person primarily hired for the performance of house hold duties and chores, the maintenance of the home and the care and comfort of the members of the household and includes a domestic gardener, guard or driver. The paid domestic work conducted by a housemaid fits this category and should be accounted for as domestic work. But the unpaid work in the house, in agriculture or other economically non-remunerative activities is yet to be recognized as work that contributes to the national GNP.

It is prohibited to employ a person under the age of fourteen under Article 68 of the labor proclamation and a *young employee* (14-18) may not be made to work for more than seven hours (compared to regular hours of work that may not exceed eight hours a day and forty-eight hours a week Art. 48).

Historically certain factories (i.e. match factory, textile etc) used to employ under age girls deliberately exploiting female labor by paying extremely low wages and indulging long hours of work including night shifts. Today, although this kind of employment is not prevalent, one can not deny the presence of under age girls who are widely involved in self-employment activities and or employed in the services industry to support themselves and their family.

Social Security Act

The right to social security, particularly in case of retirement, unemployment, sickness, invalidity and old age and other incapacity to work are yet to be regulated. The labor law gives power to the Ministry of labor and human welfare under Article 84/85 to issue regulations pertaining social security and to present to the National Assembly a draft law governing the establishment and/or management of provident fund for employees.

Training opportunity

There is a general tendency to provide equal opportunity regarding training and retraining, apprenticeships, advanced vocational training and recruitment training for female employees.

Provision of training is also considered *an obligation of the employer to take steps to ensure the training of the employee in the work he is employed for.* (Art.20/6). However, it is very difficult to present a comprehensive gender disaggregated data on the job training given by private enterprises since data entry are not classified by sex.

On the other hand, MoE and other ministries also run non-formal skills and organize training events. According to the following table, the bulk number of women has participated in tailoring and typing.

Table 16: Number of participants by programs offered through MoE, MoH, MoA, 1993-1999[29]

Area of skill	Male	Female	Total	F %
Soil conservation, seed and water	35,710	300	36,000	0.8
Tailoring	150	20,280	20,430	99.2
Typing	1,250	11,930	13,180	90.5
Computer applications	2 630	5,890	8,520	69.1
Mechanics and tractor operator	4,740	1,730	6,460	26.7
General agriculture and extension	5,550	610	6,170	9.8
Forestry and wild animal conservation	5,580	0	5,580	0
Construction	2,800	360	3,160	11.3
Wood and metal work	1,170	290	1,460	19.8
Animal health and husbandry	1,090	200	1,290	15.5
Commerce admin and leadership	180	700	890	78.6
Tech-Mechanization	300	0	300	0
Inter-personal communication	110	50	160	31.2
Hotel and tourism	10	110	120	91.6
Electricity	100	10	110	9.0
Plumbing	60	10	70	14.2
Fishing	0	30	30	100
General Mechanics	20	6	26	23
Total	**61,450**	**42,506**	**103,950**	

Source: MoE, Department of Adult and Technical Education

In addition to this, the Ministry of Defense organized employment oriented non-formal training with special emphasis in jobs considered '*male jobs*' such as operators of heavy trucks, carpentry, masonry, plumbing etc. About 3545 young women members of the National Service participated in this training out of which 629 were tractor drivers; 248 heavy machinery operators, 201 plumbers, 171 electricians. A good numbers of trainees were employed right after their graduation, and are operating excellently on the ground.

The NUEW, NUEYS, Workers Confederation and other NGOs also provide non-formal skills training for women (3 to 6 month courses) with the aim of upgrading their existing capacity and or creating employment and self-employment conditions.

29 Eritrea education and training sector note, July 8, 2002

Article 12: Health

The Ministry of Health is the principal provider of health services in Eritrea. Its prime objective is namely to assure the physical, mental and social health of the population by integrating preventive and curative approaches. The national health policy is based on the concept and principles of the primary health care (PHC), and is designed and developed in such a way that it serves the interest of the majority of the population.[30]

The low socio-economic status of the population and the devastated health infrastructure at the time of independence compelled the government to provide health services at a nominal cost or free of charge. However, in 1995, a cost recovery system designed on a sliding scale, with the lowest fees payable at the health stations and the highest at the tertiary level hospitals was introduced. Even with fees thus collected the MoH manages to recover only 8% of the expenditure on health services.[31]

The Ministry encourages the participation of non-governmental organizations and the private sector in health service delivery. In the year 2000 there were a total of 315 health facilities, of which 37 were owned by other NGOs.

There are around 3470 qualified health staff operating under MoH of which, women comprise 52 percent. Registered-nurses, midwife nurses, health assistants, and dental technicians are professions dominated by women. However, when it comes to administrative post, there are 23 Unit-heads of which women are six (i.e. 26%). One woman Division-head out of six and no woman for the Director General post.

The Primary Health Care (PHC), one of the main functional departments of MoH, is responsible for the promotion of health and prevention of diseases. The adoption of the Safe Motherhood and Integrated Management of Childhood Illnesses (IMCI) programs coordinated under PMC has been a major stride towards the improvement of mother and child health.

The PHC through its Family and Community health unit focuses on the following activities:[32]

- Improving maternal health through the safe Motherhood program
- Providing reproductive health services, including adolescent reproductive health and family planning services
- Providing school health services
- Creating awareness on avoiding harmful traditional practices, such as female genital mutilation
- Capacity building activities for the implementation of IMCI and other child health programs.

Access and Availability of Health facilities

The MoH is striving to maintain an extensive network of health facilities. Currently there are a total of 315 health facilities functioning across the country the break down being 19 Hospitals, 4 mini Hospitals, 51 Health Centers, 179 Health stations and 62 Clinics.[33] In addition to this there are mobile units providing multifaceted outreach services to the remote areas on twice per month basis.

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30 Ministry of Health 1993
31 Administration Division, MoH, 2000
32 Eritrea Health Profile 2000, MoH May 2001
33 MoH, HMIS 2002

The main concern is however,

- how accessible are these facilities to women and children;
- how effective is the service rendered;
- what is the distance and time needed to reach the nearest facility and to what extent is it supported by transport and communication facilities;
- how far are women aware of using these facilities; and
- to what extent is the availability of the trained health staff obtained.

According to MoH, health service facilities are organized in a three-tier system. The first level health facilities focus on preventive, promotive and rehabilitative services and comprise *Health stations* (expected to serve a population of 10,000 staffed with a registered Nurse and one or two associate nurses); Health *Centers* (expected to serve a population of 50,000 staffed with two or three nurses, sanitarian, associate nurse, lab. technician etc); and the first contact and referral hospitals catering over 50,000-200,000 population respectively.[34]

Indeed, distance is a determining factor in the delivery of health service. Bearing in mind the nature of the terrain and inadequate road linkages in the country (shortage of ambulances, radio communication, walking carrying stretcher etc.) a lot of women in the remote areas are not able to get adequate health service and are subject to pregnancy and delivery complications. Mothers who are getting antenatal and delivery care are most likely those who reside about five km from the health station and center.

For instance, the median distance to the nearest facility providing delivery care is 8km, which is also the median distance to health clinics. But this differs from region to region. In the Northern Red Sea and Gash-Barka regions, facilities providing delivery care are less accessible; with a median distance of at least 15 km. Twenty-nine percent of currently married women in the Southern Red sea region and 23 percent in the Gash-Barka have no access to a facility providing delivery care. The proportion of currently married women who can reach the nearest facility providing delivery care service within 60 minutes varies by zone from 85 percent in the Central zone to 15 percent in the Gash-Barka zone.[35]

Considering the current capacity of MoH in expanding health facilities, health personnel and the shortage of available roads in the remote villages, the alternative means could be empowerment of TBAs and CHW to cover the gap locally. Actually they are the one reachable health care provider across the aisle in the rural areas.

According to DHS 1995, TBAs are more likely, and trained midwives less likely, to be available to women in rural areas, compared with women in urban areas. Efforts have been exerted to train and equip TBAs to deliver a better service. However, only 10 percent of currently married women have a trained traditional birth attendant available, while 20 percent have trained midwife available to them. Meaning there is a shortage of iron supplements, multiple vitamins and tetanus toxoid injections as antenatal and delivery care service.

More would have been achieved in outreach services if TBAs were accommodated by the MoH in terms of adequate training and incentives for the services they give in the community. Although training for few (about 930 in the last ten years) has been conducted, the issue of payment is not resolved yet and the communities in the rural area; are reluctant to pay. Hence, mothers are not getting the desired services of trained TBAs. A study

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34 Eritrea: Health Profile , May 2001

35 *EDHS 1995*

on knowledge, attitude and practices of trained TBAs has been conducted recently by the Ministry of Health. The study verified that '*till enough qualified doctors, midwives and nurses are produced to provide emergency obstetrical care nation wide, it is important to*

> I enjoy assisting delivering mothers any time but time has changed that the cost of living has become expensive, I cannot ask my client for a bar of soap to wash my hands and the equipment I used during delivery. Moreover, I am also scared of the killer disease HIV/AIDS, and the worst of all is that there was no incentive before and there is nothing now.
>
> Quoted from TTBA in Debub Region

Know the strengths and weaknesses of TTBAs' and empower them so that they can become the asset in decreasing, the higher maternal mortality rate at the community level.[36]

Table 17: Number of TTBA trained in the last ten years by Zone

Training for TBAs	SRS	NRS	Anseba	Gash-Barka	Debub	Maekel	Total
Total Trained	130	210	75	175	199	141	930
Active in 2000	126	167	56	154	193	141	837
Active in percent	96.9%	79.5%	74.7%	88%	97%	100%	90%

Source: MoH/ HMIS December 2000

Another important factor is the attitude of mothers towards using health facilities. According to EDHS 1995, 51 percent of women did not make any visits to health facilities for antenatal care during their pregnancies. The median number of antenatal care was only 4.3, which is far fewer than the recommended number of 12-13 visits (monthly for the first seven months, fortnight in the eighth and then weekly until birth). The reasons behind this could be of various nature including lack of transportation, lack of information, lack of confidence on health staff and lack of assistance from family members. As a matter of fact, one of the main impediments in the health system is the absence of training programs of midwives in the last few years.

Therefore, one can say that the Ministry should be able to organize courses on midwifery to support health centers and stations with adequate number of trained health staff who could inevitably contribute in reducing the current maternal mortality rate and on the other hand, the husbands and other family members should be aware of the importance of antenatal care and should have the obligation to support and encourage their wives for proper health care.

Fertility and MMR

The total fertility rate in Eritrea is 6.1 children per woman during her reproductive year (age 15-49). Fertility among urban women is substantially lower (4.2 children) than among rural women (7.0).[37] Fertility has a declining trend, it has dropped to 4.8 in the year 2002, urban fertility declined from 4.2 to 3.5 while rural fertility declined by a slightly higher percentage from 7.0 to 5.7.[38] One of the reasons could be recurrent war

[36] Study on knowledge, attitude and practices of TTBA July 2002
[37] Ibid p.40
[38] EDHS 2002, primary report

and post conflict problems; however, with the increase in the involvement of women in higher education there is a likelihood to delay having children; thereby reducing the number of children per capita.

This improvement is directly related to the improvement of PHC services, the reproductive health services, the Safe Motherhood and Integrated Management of Childhood Illnesses (IMCI) and the expansion and access of heath facilities and mobile services to the remote areas. At this stage, percentage delivered by a health professional is 28.3 and percentage delivered in a health facility is 26.3 much better compared to 17.3 in 1995. Overall, the level of antenatal care coverage in 2002 has increased to 70 percent from 50 percent in 1995.

Pregnancy related mortality among Eritrean women are highly influenced by the socio-economic and cultural status that they live in. To mention but few:

- Circumcision or infibulation is one factor that puts the woman into high risk for pregnancy and causes delivery complications (scar opening or deinfibilation and reinfibulation before and after each and every delivery, vaginal bleeding, infection etc);
- Early marriage, underage pregnancy;
- Traditional healing and herbal treatments that delay medical treatments;
- Teenage pregnancies followed by illegal abortion procedures that cause bleeding, infection and death;
- Poverty related malnutrition;
- IEC gaps among community that is shortage of health related information within families;
- Lack of transportation/communication facilities (ambulances, buses, telephone etc) and roads;
- Distance of health facilities from villages for emergency obstetrical care;
- Shortage of trained TBAs and CHW;
- Other communicable diseases etc.

All these factors have contributed to the current MMR which, is estimated to be 998 per 100,000 live birth and 37% of the mortality rate is between the age group 15-49 and occurs at various stages. During period of pregnancy the death rate is estimated to be 31 percent; 45% during delivery and 24% during the following two months after delivery. To reduce the existing high rate of maternal as well as neonatal and child morbidity and mortality rates, the MoH has been focusing primarily on safe motherhood programs. To this effect, a Safe Motherhood Clinical Management Protocol (SMCMP) has been developed with the aim of standardizing the care which women, families and communities deserve to receive as they contact the health care system. The objective of SMCMP is to serve as a guide in case management of

1. maternity care
2. management of obstetrical emergencies
3. family planning and other reproduction health problems[39]

The most important factor in safe motherhood program is the involvement of community through community health workers and TBAs. Effective information sharing and health education will lay a ground for preventive mechanisms and proper and timely use of health stations and centers by the community.

In the effort of reducing high level of mortality rate, other approaches have also been followed one of which is the launching of HAMSET project (HIV/AIDS, Malaria, STD and Tuberculosis). It is a major project coordinated by theMinistry of Health that aims in tackling the main causes of certain communicable diseases

[39] Eritrean national Clinical protocol on safe motherhood, second edition 2002

such as malaria, TB and other endemic and epidemic diseases such as STD, HIV/AIDS by supporting the efforts of several ministries, the women's and youth organizations and the community in terms of awareness raising and prevention initiatives.

Women and children are prime beneficiaries of this project, nevertheless, there is no gender-disaggregated data at this stage, in reference to the campaign of HAMSET diseases that could be shared with; the HMIS unit under MoH is in a process of compiling and preparing the required data.

Teenage Pregnancy and Family planning

Since early marriage among girls in rural areas is still exercised, early pregnancy and motherhood is likely to prevail. This bears a major social problem allowing a girl-child to become a mother of a child. Teenage pregnancy due to early marriage, unwanted teenage pregnancy, rape etc. accounted 23% of all pregnancies in the 1995 survey.

Pregnancy is physically demanding for women at any age but more than that it poses a special health risk for teenagers. Adolescent mothers are more likely to suffer complications during delivery. Similarly children born to very young mothers are at increased risk of sickness and death. The proportion of adolescents already on the pathway to family formation rises rapidly with age, from less than 3 percent at age 15 to 50 percent at age 19.[40] A recent study conducted by MoH in Ansseba region verifies the increasing trend of teenage pregnancy through early marriages. An integrated intervention by MoH, MoE, MoLG, NUEW, NUEYS and other concerned NGOs is required to minimize this growing tendency of early pregnancy among young girls.

Reproductive health and family planning programs of the MoH are playing a vital role in

- reducing the number of unwanted, unplanned or high risk births, thereby contributing to the prevention of abortion, neonatal and maternal mortality
- encouraging the active participation of men in family planning and their co-responsibility in sexual and reproductive decisions
- preventing unwanted pregnancies, abortion and sexually transmitted diseases including HIV/AIDS
- providing information and quality service for pregnant adolescent girls , information on prenatal, postnatal and obstetrical services, etc.

Couples may use family planning methods for either spacing births or limiting family size. Knowledge of family planning methods is not high; only about two thirds of women age 15-49 and four fifths of men aged 15-59 know at least one method of family planning. The most predominant source of contraceptives in the public sector is the Family Reproductive Health Association of Eritrea (FRHAE) providing methods to 40 percent of current users of modern methods. Among both currently married women and men, the pill is the best known method of family planning, while injectables and condoms are also well known.[41]

Abortion

There are two types of abortion i.e. medical abortion and spontaneous abortion, which the latter can probably be associated with illegal abortion. The HMIS statistics of 2001 shows that the spontaneous abortion was much

[40] EDHS 1995
[41] Ibid., pp. 49-60

higher (5,040 cases) than the medical abortion (123 cases). The main cause could be complication of pregnancy but other reasons such as unwanted teenage pregnancy, pregnancy before marriage (schoolgirl pregnancy); forced pregnancy through rape etc. can not be ruled out. In addition to this there are a lot of unreported illegal abortions that are costing the life of so many young women.

Sex selective abortion is not exercised in Eritrea since it is not and has never been part of the tradition or custom. Abortion on the grounds of preference for sons or preference for daughters is ruled out.

Abortion is not legally permitted in the country. However, under given circumstances (where a physician can certify that the woman will suffer grave and permanent damage due to severe physical and mental stress; or when the pregnancy has resulted from rape or incest), it can be undertaken. The whole process of abortion could be exercised if and if only designated by authorized personnel.

According to the criminal law, the deliberate termination of pregnancy, at whatever stage, or however effected is considered a crime. Abortion procured by the pregnant woman or by another person is punishable under the law. However, termination of pregnancy on medical grounds is allowed by law on these conditions:

- Where it is done to save the woman from grave and permanent danger to life or health which is impossible to avert in any other way and follows a legal procedure which is:
- Except where impossible, the danger shall be diagnosed and certified in writing by a registered medical practitioner

Female Genital Mutilation (FGM)

Female circumcision or the female genital mutilation is a widely exercised cultural practice in Eritrea. Campaign with the aim of minimizing its stance was launched during the armed struggle but in vain since it is not easy to change the attitude of men and women towards FGM which, is strongly related with marriage and sexual satisfaction of men. People still think that FGM is useful, in the "fact" that it keeps genitalia clean and preserve virginity.

There are three generally practiced types of female circumcision; infibulation, clitoridectomy and excision that are enforced on girls as early as seven years of age. Despite its long-term psychological and physical strain, its unimaginable pain and medical complications (problems during sexual intercourse and delivery) it is still predominant in the Eritrean communities.

Knowledge of female circumcision is universal in Eritrea, and nine in ten women (89 percent) reported that they have been circumcised. This presents a slight decline from 95 percent prevalence in 1995. The attitude toward circumcision varies widely by Zobas 26 percent (Gash-Barka) to 69 percent (Maekel) and by age; younger women (under 20) are twice as likely to support discontinuation of the practice.[42]

This shows that with the economic development and access to education among women and men in the community, practicing circumcision will definitely decline but, in a slower pace. Therefore, to expedite the change, a well-coordinated and integrated inter-sectoral campaign among all stakeholders (Public sectors, local and community authorities, religious community, local NGOs etc) is of utmost necessity.

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42 EDHS 2002

IMR and Child Nutrition

About 44 percent of children under three are under weight, which may reflect stunting, wasting or both. Although, breast milk has traditionally been the main source of nutrition for kids in Eritrea, mothers are still encouraged to breast feed their infants at an early stage and give supplement food at a later stage from locally available foods. The feeding of complementary liquids and foods however, depend on the rate of income of each household and the general poverty situation in the country. Therefore, to improve the nutritional status of children (height-for-age; weight-for-height; weight-for-age) poverty reduction programs should be intensified on top of the improvement of health services to children. Moreover, intensification of nutritional counseling among families and specifically mothers is of utmost importance.

According to DHS 1995, under five-mortality rate was 136 death per 1000 and infant mortality was 72 per 1000 live births. A lot has been achieved in terms of reducing early childhood mortality in the last five to six years, currently under five mortality is 93 deaths per 1000 live birth and infant mortality rate is 48 per 1000. During infancy, the risk of neonatal deaths and postnatal deaths is nearly the same, at 20 deaths per 1000 live births.[43]

One of the successful activities in the health service for children is immunization where 76 percent of Eritrean children age 12-23 months are fully immunized (only 41 in 1995), while 5 percent have received no vaccinations at all compared to 38 percent in 1995.

The MoH is yet to provide a preventive and promotive health service in Pre-primary and Primary schools with the aim of early detection of abnormalities, screening school kids for disease and immunization. For instance, acute respiratory infection is one of the main causes of illness and death among children that requires early diagnosis and treatment, parents should be aware through health education and assist in contacting health facilities early.

Article 13: Economic and Social life

The economic and social life of women is characterized by the Socio-economic formation of the country and could correctly be defined within that context. Eritrean society is marked with traditional values and low economic development whereby women lack equal terms of social and cultural life. However, constitutionally a foundation is laid where Eritrean women will have equal access and opportunity in all social and cultural activities.

Art.8 of the Eritrean Constitution, *on Economic and Social Development* – stipulates that

1. The State shall strive to create opportunities to ensure the fulfillment of citizens' rights to social justice and economic development and to fulfil their material and spiritual needs.
2. The State shall work to bring about a balanced and sustainable development throughout the country, and shall use all available means to enable all citizens to improve their livelihood in a sustainable manner, through their participation.

[43] Ibid., pp. 27

Family benefits

Currently there is no system of family benefit or regulation on social welfare in place. The Social Security Act that will encompass family benefit, pension etc. is in the process of establishment. It is however, expected to be the most gender sensitive act giving equal rights and opportunities to both sexes in the public and private sector.

In addition to this, maternity benefits i.e. maternity leave, and sick leave are currently operational based on the labor law and employment agreements. When an employee (women /men without distinction) sustains employment injury, the employer has the obligation to cover medical expenses such as hospital and pharmaceutical care; general and special medical and surgical care; any necessary prosthetic or orthopedic appliances.[44]

Incase of family event, employees are entitled to leave of three days with pay and five consecutive days without pay.

Bank loans and other financial credits

Financial institutions in charge of bank loans, mortgages and other forms of financial micro-credits do not basically discriminate against women. The criteria for loans are explicitly financial and not sex-based.

The Housing Bank mortgage for instance, was conducted on first come first serve basis while the mortgage information and deadline of purchasing was dispatched earlier to reach every interested citizen. One of the loan requirements for real estate (either for construction or purchasing) is that the "*mortgager is requested to present marital status from an authorized institution*".[45] In case of married persons, both spouses require a written consent of the husband or wife to enter into mortgage, since according to the civil code, property acquired after marriage is considered common property. However, this does not apply with *Sharia* related marriages. A spouse married under *Sharia law*, is allowed to enter into mortgage and get Bank credit without the consent of his wife. This is a major default that needs to be revisited.

Single mothers (widowed, divorced, non-married etc.) and unmarried women can enter into mortgage agreement without such family related preconditions.

The micro-credit programs conducted both by the government and local NGO's operate on the grounds of equal access to both sexes and the minority groups. In fact in some cases (in rural areas) more encouragement is given to women as a positive discrimination; the NUEW credit program and part of ACCORD's program was specifically geared towards women headed house holds and demobilized women ex-fighters. Currently, women comprise 37% of the total beneficiaries in the saving and Micro Credit Program (SMCP) conducted by the Ministry of Local government.

Eritrean women do not need to have the consent of their spouse or male relative to enter any loan and credit agreement. The Credit and loan institutions (NGO/government) hold gender disaggregated statistics of their clients but, the Commercial and Housing Banks do not; maybe they might need to introduce this in the near future. One point of importance that could be raised is the paucity of mobile banks or any alternative mechanism to assist rural women to open bank accounts for savings and other purposes.

[44] Labor proclamation Eritrea, 118/2001

[45] HCBE, loan requirements for real estate loans

Over 400 business women are currently members of the Eritrean National Chamber of Commerce (ENCC) holding 16% of the total membership and 13% of the board of directors. Recently, ENCC established the women's business development unit (WBDU)[46] mandated to encourage and empower women in business by providing relevant business training programs, promote information sharing and networking; and create a data bank of Eritrean women in business.

Recreational activities

Generally, sports are at its initial stage in Eritrea. Sports federations and clubs are taking off and all sports activities are more or less concentrated in the urban areas, towns and cities. The MoE conducts major interventions at school levels where girls are encouraged to participate. There is no national council for sports, but there are separate federations i.e. Football, Cycling, Volleyball etc. There is one woman member in each of the National Sports Federations.

The most popular games at school level are football, volleyball, basketball and athletics. Cycling, ground and table tennis, bowling and other indoor games are developing at club levels. These days it has become a commonly accepted mood for girls to play football and cycling fields that used to be a male domain.

MoE organizes national and regional level sports competitions where girls' teams show good participation. Although it is yet to be more empowered, women are participating in international athletics competitions as well.

Efforts should be made to expand sports activity to the rural areas and build sports facilities to enable the rural girl to be part of this activity and boost the broad participation of all.

Women and Fine Arts

Women in Eritrean society are much associated with work of traditional arts of various natures. They own the culture of beautifying and equipping their household using various artistic works of clay, handcrafts of wood and straw, beadwork, leatherwork, weaving etc. This artistic wealth however needs to be preserved and improved through training. It also needs to be developed to reach a marketable level that can be used as a source of income and a contribution of national souvenir to tourist centers. A pilot project was organized by NUEW to modify and redesign the style of straw work that has proved to be of high market demand. This kind of training could be replicated by other interested groups to reach as many women as possible.

There is an encouraging participation of young women in painting, photography, poetry, and writers in local languages etc, but a marked participation is seen in theatrical and musical performances. In general terms, a massive investment from concerned government sectors and interested institutions is required to expand and boost the participation of women/girls in this field. Efforts should be made to improve and upgrade the status of the existing Arts and Music school towards an Arts college with various discipline and capacity. Currently there are a total of 77 students in music (29 female) and 51 students in arts (17 female) according to basic education statistics 2000/01.

In relation to other social gatherings and recreational activities, participation of women is somehow limited. Women are not restricted from going to cinemas, theatres, football stadiums, and restaurants etc. on their own or with friends and family. They are also members of various associations such as rotary clubs, teachers

[46] ENCC , WBDU report, 2002

associations, Eritrean scout associations etc. where women and girls play a marked role. Nevertheless, it must be noted that all these activities are urban-focused and do not reflect the rural woman.

Article 14: Rural Women

Eritrean people have suffered from decades of war, occupation and economic deprivation. Economic opportunities were limited, as a result of which most of the population now lives in a state of poverty.

Poverty reduction through economic growth and enhancement of social justice through empowerment and meaningful participation of the people are, therefore, the main goals of Eritrea's development strategy. Enhancing the status and increasing the participation of women in development is one of the special development priorities of the country.[47]

Rural women constitute the majority of the total female population in the country. They are economically and socially disadvantaged compared to the women in urban areas. This can be verified from the 1995/2002 DHS findings where:

- Only one-fifth of women in rural areas had some education, compared with two thirds of women in Asmara (the capital) and over one-half of women in other towns
- Girls' NAR at Primary in rural areas is 27 percent compared to 41 percent in urban areas
- 87 percent of employed rural women and 76 percent of uneducated women are in agricultural jobs.
- Twenty-one percent of households in rural areas get water from rivers, streams, ponds or lakes, and only 8 percent from public taps. No rural household has water piped into the residence(40 percent in urban)
- The median time to go to the source of drinking water, get water and come back is one hour in rural areas compared to one to six minutes in urban areas
- Only 2 percent of the rural house-hold have electricity compared with availability almost exclusively in urban areas
- In regards to sanitation almost all rural households have no toilet facility
- Wood and animal dung cake are the main fuel used for cooking
- IMR and MMR are much higher among the rural population
- FGM is more widely practiced in rural than urban areas
- Percentage delivered by health professional in urban areas is 64.7 while in rural areas is 10.4; by the same token percentage delivered in a health facility in an urban area is 61.7 while 8.9 in a rural area, etc.

Putting in consideration the above mentioned socio-economic status, the government of Eritrea re-iterated its commitment once again to improve the living conditions of the rural community in general and that of rural women in particular. In March 1998 the government issued its poverty reduction strategy document, the National Economic Policy Framework and Program (NEPFP) and identified specific development priorities giving particular emphasis on

- Poverty reduction and achieving a higher level of social justice
- Enhancing the role of women in the national development process, by implementing specific actions to create equal opportunities
- Providing personnel training whose importance is constantly emphasized

[47] National Economic Policy Framework and Program (NEPFP) for 1998-2000

The Eritrean government launched the Eritrean Community Rehabilitation Fund (ECRF) as a pilot operation from 1993 to 1995, with the aim of recovering and rehabilitating of the rural community after a long and devastating war. The project focused mainly in rehabilitation of elementary schools, health centers and health stations, small- scale irrigation, water supply and feeder roads. Over 700,000 beneficiaries (women and men) benefited from the projects funded by ECRF. The most important aspect of this project was its outreach services that focused on remote villages; encouraging community involvement and helping the rural women to be part of the overall activities both at decision making and implementation aspects.

This was followed by another community based program which was launched under ECDF in 1996 with the objective to (i) support the rehabilitation and development of basic social and economic infrastructure critical to development (ii) improve the income generating capacity of poor people and households, implementation of micro savings and credit schemes. ECDF financed sub-projects that were identified and requested by the local communities, and in whose design, implementation, monitoring, maintenance and sustainability the local community played a key role.

The ECDF program was designed to be the most gender sensitive program in line with government gender policy. Hence a Gender Action Plan (GAP)[48] was developed to ensure that women benefit equally from ECDF-financed activities, and play an active role in identification, design and management of sub-projects. Key elements of the GAP were summarized as:

- Monitoring and supervising the impact of ECDF activities on women
- Increasing and strengthening the participation of women in ECDF activities
- Training to support women's participation
- Improving poor or disadvantaged women's access to and control over economic assets.

In general terms women and the community have gained a lot from all the ECDF financed activities; activities that comprise micro credit, rural water supply, building of feeder roads to expand the road network addressing the transportation issues, construction of schools and health centers and multi- purpose community centers. Nevertheless, the gender impact should be measured against the indicators summarized in GAP to assess how far rural women have benefited from all the projects. ECDF is expected to conduct a comprehensive assessment by involving all the stakeholders in particular NUEW.

Land policy

Changing the land tenure system to enable smooth implementation of the development strategy was categorically vital. The National Charter of 1994, magnifies the importance of land reform in the spirit of overall development initiatives of the country and states:

> *Introducing a mode of land distribution that abolishes the prevailing land tenure system rooted in family, village, tribal and similar parochial divisions of land, and replace it by a uniform system based on individual use and subject to verification by registry while recognizing that villages constitute the basis for the identity of citizens.*

To this effect the new land policy was established pronouncing that the ownership of land in Eritrea is the exclusive right of the government and that every Eritrean citizen has the right of access to land for farming, for

[48] ECDF, Gender Action Plan, 1996

pasture, for housing and for development purposes. The conditions under which these are permitted are regulated by law.[49] The objective of the new land policy as stated in the Macro Policy is: -

- Encourage long-term investments in agriculture and prudent environmental management
- Assures women's right to land on equal basis with men
- Promotes commercial agriculture

Further to this, a new Land proclamation 58/1994 was introduced, giving every citizen the right to land use without discrimination on the basis of sex, religion, ethnicity (Article 4). Hence, women gained legally equal opportunity and access to land use for farming, for housing and investment purposes in rural and urban areas. In practical terms however, there are always attitudinal obstacles that debar the application of such provisions.

Although every region has its own application system, in most cases, land distribution committees at village and *Kebabi*[50] levels are selected where women are included of and priority of distribution based on the proclamation is set. For instance in the Southern region, the priority among women was given first to constant dwellers; widowed with children; divorced, ex-combatants etc. Request for land use is submitted on individual basis to the committee. The Southern region is one of the densely populated areas where land distribution has taken place.

Table 18: Land distribution for housing in Southern region 1998-99

Sub-region	Total	Male	Female	F %
Mendefera	7063	4314	2749	38.9
Mai-Mine	11,576	8833	2743	23.6
Mai-Aini	7387	5190	2197	29.7
Senafe	13572	8340	5232	38.5
Segeneiti	8720	5896	2824	32.3
Emni-Haili	12,005	8091	3914	32.6
Areza	13,786	9343	4443	32.2
Adi-Keih	3087	1915	1172	37.9
Adi-Kualia	14456	10,264	4192	28.9
Dekemhare	5956	3490	2466	41.4
Dibarwa	14,676	10,036	4640	31.6
Tsorona	3398	2048	1350	39.7
Total per Region	115,682	77,760	37,922	32.7

Source: Southern Region Administration

The land distribution for women differs from one sub-region to the other ranging from 23 percent to 41 percent. According to the report from Southern region administration a lot of obstacles embedded in traditional attitudes have been encountered delaying the whole process. Widowed women facing obstacles in acquiring land in their spouses' village could be stated as an example.

Rural women in Agriculture

Agriculture is still mainly a subsistence-oriented activity. Although it is the main source of income for roughly 80 percent of the population it is still dependent on rainfalls, which constrains the development of its productivity.

[49] Macro Policy Eritrea 1994

[50] Kebabi is administrative level that coordinates a number of villages

The gender division of labor differs depending on the existing agrarian system as well as socio-economic and cultural factors. In the semi-pastoralist and pastoralist areas of the lowlands where livestock breeding is the main stay, women's role is centered on their households: processing and preparing food: and milking of goats and cows (the *Afar* woman has the additional task of tending goats). In areas where farming is the main stay (highland and lowland areas) both men and women work in the field and share agricultural work. In addition to this, women are involved in back-yard gardening, poultry, bee rearing, weaving and crafting. Women in the rural areas work from 14-16 hours a day.

The Ministry of Agriculture conducts various programs to support local farmers both women and men. Under the Emergency Reconstruction program (ERP) for instance, crop seeds have been distributed and over 40,000 people took part in cash-for-work in the conventional hillside terracing and afforestation program. However, the data is not disaggregated in gender and it is extremely difficult to see the degree of participation and benefit gained by women.

Under this project in 2001, 9900 women farmers were supported with small holder poultry programs giving 25 chicks, six-month food supplies and building materials per household. Grants were also given in dairy goats (4 male one female) for fattening purposes and eventually for milking and meat selling; two beehives per woman were also granted to encourage rural women in bee-keeping activities. Most of the beneficiaries are said to be female-headed households. In general to encourage women's participation in agriculture and assist poor farmers 72,349 chicks, 2931 dairy goats, 71.65kgs of vegetable seeds, 31,333 different farm tools and equipment and 12 motor pumps were distributed to farmers including 3,800 women farmers.[51]

Farmers who wanted to expand their small range farming activities to commercial farming had access to micro credit loans within the ministry. About 1300 people received loans for agricultural activities; 120 tones of potato seeds were distributed; 400 tons of cereal seeds distributed etc. Again the main problem is that there is no gender-disaggregated data regarding these activities to see how women are benefiting.

Farmer Advisory Service (FAS) is new approaches of extension services introduced by the MoA to enable local farmers organize themselves, identify their knowledge and skills requirements and improve their agricultural production and eventually improve their livelihood.[52] FAS committees are organized at village level where women farmers are members and at Sub-regional level the NUEW holds a seat together with other stakeholders. Although this mechanism is of a recent undertaking, it is bringing rural women in the agenda and including them in the planning and decision making of all agricultural activities in their respective communities. To strengthen the effectiveness of FAS, the coordination at the national level should include NUEW and other stakeholders as well.

Farmers are selected by FAS committees at village level to participate in integrated farming courses, para-veterinary courses etc, In the two consecutive courses of contact farmers conducted women's participation was highly insignificant; only two women out of 89 farmers (2%). This area really needs serious intervention, to meet the needs of women farmers. For instance efforts should be made to organize such courses in the nearest vicinity where they can combine both the training and their domestic responsibilities. Training women and involving them in all the community economic and other activities right from the planning stage up to implementation is a matter of necessity to the overall rural development initiative.

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51 MoA, annual report 2001, planning and statistics office

52 Ministry of Agr. FAS, annual progress report, 2001

On the other hand, the participation of women in the modern agricultural activities seems to be very low (5.9%), female labor force comprising only 4.8%. The most common and dominant intervention of women are animal fattening (18.7%), citrus fruit (18.2), livestock raising (16.1%), poultry (42%) with a corresponding employment share 12.9%, 6.7%, 14.3% and 4.2% respectively.

Micro credit

The Saving and Micro Credit Program is one of the ECDF-financed on going activities which has opened access to credit and loans in the rural areas. The Government of Eritrea, through the Ministry of Local government, established an institution of a Saving and Micro Credit Program (SMCP) as early as 1996, whose objective was to support the rural communities, the IDPs and Returnees by providing credit and loans. Although this program does not specifically focus on women, it still encourages them to be the main beneficiaries aiming at empowering women in the rural areas economically and assisting in improving their life styles.

37% of the current cross-country beneficiaries' are women comprising female headed households, former combatants, women returnees and IDPs. Distinct changes in their life were marked as they were able to sustain themselves economically and introduce a change of life in their respective families. This activity has also enabled women to join the informal sector by involving themselves in various economic activities i.e. poultry, dairy milk supply, small trades etc.

Access to credit is applied on the grounds of equal opportunity to all regardless of sex, race, and other distinctions however; in certain localities some women were facing petty obstacles from having direct access mainly due to the prevailing traditional attitudes. For instance because of religious reasons married women were denied direct access to credit and could only be represented by their spouses; denied membership in the village banks etc. But since the ECDF credit policy declines such measures to takeover, it was easily subsided.

Table 19: Performance of saving and credit program (1996-2001)[53]

	1996	1997	1998	1999	2000	2001
No. of new village Banks	25	14	37	9	3	58
No. of cumulative village clusters	81	107	246	285	290	519
TIER I						
No. of active borrowers	1470	2373	5477	5779	5942	10304
No. of Loans	1685	3808	9005	4391	2744	9206
TIER II						
No. of active borrowers	-	7	27	36	245	925
No. of Loans	-	7	33	46	259	1040
Total # of women beneficiaries in % (Tier I)	30%	30.26%	27.62%	29.6%	30.18%	37%
Total # of women beneficiaries in % (Tier II)	-	14.29%	6.45%	14.29%	29%	36%

An impact analysis (in 2000) of this program indicated that 50% of the surveyed banks were in rural areas where there were no formal banking services and 30% of the borrowers were women: a significant achievement given their prior limited access.

Another major intervention on the credit scheme program is that of the NUEW which was particularly geared to the rural women. The program was initially launched in ten communities in Gash-Barka, Anseba, Maekel and Southern region. The target groups were female-headed households, demobilized women fighters and

53 SMPC performance report , ECDF-MoLocal government

returnees. The loan size ranges 500-2000 Nacfa with 12% interest rate and 12 months duration with the exception of agricultural loans that extend up to 18 months. Over 1700 families benefited from this scheme.

Table 20: NUEW Credit programs beneficiaries and loan amounts by region (06/95-06/97)[54]

Region	Loan amount in Nacfa	# of beneficiaries (all women)	% of loan amount	% of beneficiaries	Loan/ beneficiary in Nacfa
Gash-Barka	1,011,100.001	916	43.4	52.0	1103.80
Debub	599.175.00	413	25.6	23.4	1450.70
Anseba	245,800.00	204	10.5	12.0	1205.00
Maekel	480,800.00	223	20.5	18.6	2156.00
Total	2,336,875.00	1756	100.00	100.00	1330.80

Women have also their own local associations called *Ukub*, where members contribute monthly and one member at a time uses the money on rotation basis. It is an indigenous credit system without any interest rate the collateral being the association (*Ukub*) itself. It is a popular form of a self-help association that assists women economically.

Rural women cooperatives in various denominations such as mini vegetable gardens, poultry, flour mills, handcraft work, and pottery were formed with the support of NUEW and other partners. The cooperatives did not really sustain; some of the shortcomings were lack of close follow up, lack of training on small business management and of course a comprehensive pre-feasibility study before the program was launched.

Appropriate technology for rural women

The traditional system of dealing with daily life is still holding among the rural women in the villages. Threshing to separate grain from the husks and straw, grinding grains by stone, cooking with cow dung and woods (causing eyesight and respiratory tract problems) are to mention but a few. The Eritrean Macro policy states remarkably that appropriate labor saving technologies will be introduced to reduce the drudgery of women in the household and other activities (water, fuel, wood, child-care centers, etc.) To this effect some projects such as flourmills, hand pumps, motorized pumps, energy saving stoves and solar facilities are being installed.

In collaboration with the Ministry of energy, a pilot project on training on energy saving stoves is being conducted among rural women. It is affordable, cost effective and easily made of clay by the women after their training. However, with the policy of forest conservation wood for energy is becoming scarce. Hence other alternatives should be thought of simultaneously. Electrification of rural areas is not an immediate solution although the MoEM is in a process of forming voluntary village electric co-operatives (VEC) in rural communities who will assume the responsibility of managing electric supply at village level. Rural women as members of the community are allowed to be active members of VEC. The ministry is also looking into other options i.e. a provision of affordable gas cylinders to rural households. Currently the general consumption of gas has increased dramatically from 900 tones to 4000 tones.

[54] NUEW 1998 report on credit scheme project

Drinking water and sanitation programs

In general Eritrea suffers from a shortage of developed water resources. An adequate, safe and reliable water supply is critical in all aspects of Eritrea's development endeavors. So far, the inventory of the existing[55] water points in all the six regions has been conducted, including the water quality and sanitary data, by the water resource department.

Fetching water from longer distances, carrying it on their backs and heads is still the main workload of women in the rural area. To ease this domestic load and to provide potable water within the vicinity of the village, different government sectors and NGO's have become involved in establishing rural water supply systems within the villages.

In the last four years over 64 solar PV systems, over 180 motorized pumps and over 500 hand pumps were installed through the joint efforts of concerned government sectors and NGOs.

Table 21: Rural population[56] with access to potable water in 2001

Region	Coverage population	% coverage
Anseba	56,067	16.7
Debub	117,142	26.2
Gash-Barka	107,182	21.9
Maekel	18,100	16.6
NRS	30,348	9.7
SRS	9,959	21.5
Total	398,798	
National Coverage		**20.3%**

Source: WRD, 2001

According to the report of the WES sectoral review of 2002,[57] a project with the objective of increasing access to safe water for an additional 50,000 beneficiaries in both rural and urban areas was accomplished. In addition to this IDP resettlement areas (populations affected by border war) were provided with emergency water supply systems. To date over 400,000 rural people have access to water supplies from these projects.

Before installing a new water system, the community is asked to set up a water supply committee that will be responsible for running and maintaining the system in the future. Unfortunately since there is no uniform guideline, selection is left to the community and in most cases women become marginalized. By the same token only men are selected by the technical consultants to participate in the technical and managerial training to run the new water pumps and water supply in the community. Deliberate inclusion of women in the technical and management system is a very important issue that should be realized. Following is the ECDF statistics on water committees.

[55] Water point inventory and assessment, 2001, WRD

[56] There is no population census conducted, figures stated are derived by informal count done by each village and locality administration in each of the regions and sub-regions.

[57] Water, Environment Sanitation and Hygiene sectoral review January-Dec. 2002

Table 22: Women in water committees

Regions	Number of Village Water Committees	Total	Female	Male
Maekel	7 villages Comt.	40	11	29
Anseba	4	22	4	18
Gash-Barka	15	74	12	62
S/K/Bahri	2	10	0	10
Debub	1	7	1	6
Total	**29 Village Committees**	**153**	**28**	**125**

Source: ECDF report 2002

Training on sanitation and proper use of water is a main component of the rural water supply system project. Training is conducted for the community on avoiding water born diseases, on keeping water points clean and dry, use of drainage, restricting livestock from using the water points etc. Promoting public awareness on the importance of potable water and sanitation should, however follow a coordinated approach by the concerned sectors/NGOs to gain an effective coverage and result using the media, schools, health stations, public meetings and other effective facilities.

Roof-water harvesting is another project at its development stage by MoA that aims at collecting and encouraging better use of, every drop of rainwater, by building a simple reservoir near each house in the rural areas. This elementary conservation of water assists rural women to conduct various activities (back yard gardens, poultry, vending water etc) within their compounds and to promote family sanitation.

"Donkey and water canvas" is another activity initiated by NUEW to resolve the problem of fetching water from longer distances. Priority is given to the villages 2-5 km away from the water points and the neediest women in that village. Each family gets a donkey and a canvas as a grant. Women and girls have benefited from this project by relieving themselves from the physical strain of fetching water, minimizing wastage of time (spending over 4-6 hrs a day) and by taking enough water to use for sanitation and other purposes. In addition to this, some women benefited more by vending water on their spare time. In the life span (i.e. five years) of the project, over 2724 female-headed households have benefited.

Other Social Issues

The educational and health status has been discussed thoroughly under article ten and twelve of the convention. It is a fact that women/girls in rural areas lag behind the urban female in terms of education, NAR for Primary showed 41.5% in urban while 27.2% in rural. Not only do girls start late, at ages eight or above, but also drop out early due to various social and cultural reasons such as assisting their mothers with domestic work, child-raising/siblings, working in own and relatives' farms, school distance and high safety risk and early marriage.

Launching an adult literacy program was one of the major interventions in the rural areas where over 51,000 women successfully completed (MoE 2001) and over 30,000 participated under NUEW (1992-1996). The illiteracy level improved dramatically reaching 51 percent compared to 65.9 percent in 1995. The direct effect of this program was the understanding of the importance of education by mothers thereby encouraging their daughters to enroll in basic education.

Expanding elementary schools and increasing educational access in rural areas was another factor that improved girls' learning opportunities. To increase the enrollment and achievement rates, certain incentive schemes were introduced, to mention some,

- opening feeder schools to address the problem of distance from schools
- opening girls hostels and boarding schools (a total of seven across the country)
- provision of incentives in cash or kind for poor school girls, for 500 girls as a pilot project
- Special rewards for best performing girls etc.

Installation of solar PV lighting by MoEM in over 75 schools in the remote areas was an encouraging step in assisting children and adults in their studies, after they finish farm work in the evening.

The other social issue that affects rural women is the health services. The main causes of morbidity and mortality in Eritrea are communicable diseases. Among the root problems that impact the health status of the population, and women in particular, are limited access to potable and clean water, malnutrition, the inadequacy of maternal and child healthcare, the inadequacy of health education and family planning. The MoE has been exerting major interventions to address these health service challenges followed by marked improvements in community health status in the last six-seven years.

In any case, the success of a comprehensive rural development program is unthinkable without the inclusion and full participation of the rural women. The government is exerting unlimited efforts to encourage women to play a dynamic role not a peripheral role in the planning, decision-making, training and implementation of all community development projects.

Article 15: Legal capacity in civil matters

According to the Eritrean Constitution all persons are equal before the law and any discrimination on the basis of sex is prohibited. In this case, Eritrean women have legal capacity identical to that of men and the same opportunities to exercise that capacity under the law. Women appear at court as judges, attorneys-at-law, witnesses, lawyers etc and have equal respect as men.

However, when it comes to the application of the legal provision a lot of limitations encounter the fact that tradition based attitudes are still anchored. Different ethnic groups are abided by their respective tradition; culture and taboos that are basically discriminatory and do not allow equal footing and status with men.

The new land proclamation itself although it recognizes women's equal access to land ownership it is, however, facing certain obstacles in effective implementation. Of course one cannot deny that discriminatory traditional values are loosing ground due to the ongoing socio-economic changes, strong political commitments from the state in promoting women's rights, involvement of women in education and employment and the improving level of consciousness of the Eritrean community towards women's participation.

Basically a woman can hold any position in her professional life without the consent of her spouse as such because she is the one to decide. Nevertheless, as couples they decide together to the best interest of their family and children. For instance, if a woman with certain qualification is promoted and transferred to another area (region) she will probably reject the promotion wanting to stay with her kids. Men however, never lose such opportunities and in most cases their rate of mobility is very high. Under the new family law the occupation of spouses is legally defined to be:

1) Each of the spouses may carry on the occupation or the activity of his/her choice

2) *The other spouse may, in the interest of the household, object to the carrying on of a given occupation or activity.*[58]

This means that both spouses can reconsider any employment opportunity encountered to the interest of the family based on mutual consent.

Constitutionally under Article 19, freedom of movement is guaranteed to everyone and reads:

Every Citizen has the right to move freely throughout Eritrea or reside and settle in any part thereof.

It has been a well-rooted traditional practice with remarkable dominance even today; that after marriage a woman automatically holds the domicile of her spouse since the bridegroom is expected to prepare their house. In case of family conflict she moves back to her parents/guardian until the case is settled in any way. This has been improving through the course of time shifting towards mutually choosing the best place for the family.

The draft civil law provides the right to choose residence for both and stipulates as follows:

1) *The common residence shall be chosen by common agreement of the spouses. If one of the spouses is judicially interdicted or not willing or not in a condition to express a wish, the common residence shall be chosen by the other spouse.*
2) *Each of the spouses may apply to the family arbitrators, if a dispute regarding the choice of the common residence arises between them.*[59]

Marital power is a complex issue with many features. Marital power is actually based on economic power; whoever feeds the family has decision power on the family matters. It can also depend on the particular tradition of an ethnic group. For instance in one of the ethnic groups of Eritrea, the Kunama, and the matriarchy is the rule of the land, which is still functioning. Marital power also varies with the level of education and development of a family. It is a fact that marital power is loosing ground within educated families (educated spouses) where they prefer to lead their life with mutual consent in all issues that concern the family.

The marital power was amplified in the colonial civil code Art. 635, which states bluntly *"the husband is the head of the family, unless otherwise expressly provided by this code, the wife owes his obedience in all lawful things, which he orders"*. Nevertheless, the article was automatically repealed and was replaced by Art. 45 of EPLF's family law (under proclamation1/1991) which, is based on the equal rights and status of both the sexes, and keeps the interest of the children and mother of the family.

Women have equal right to conclude contracts and administer property, run businesses and can inherit family business including its management and issue business license on individual basis. According to business licensing office statistics, over 25,000 business licenses has been issued in the Zoba Maekel (region), of which 30% are owned by women. They participate in various businesses as depicted in the following table.

[58] Draft Civil law, Art. 645
[59] Draft Civil law, Art. 641

Table 23: Women in Business in Maekel region

S.N	Activity Category description	No. of licenses issued
1.	Agriculture , hunting, forestry	20
2.	Fishing	3
3.	Manufacturing	326
4.	Mining and Quarrying	48
5.	Electricity, Gas and Water supply	24
6.	Construction	24
7.	General trading, Repair motor vehicles	5479
8.	Transport, Storage and Communication	197
9.	Financial intermediation, Real Estate	1
10.	General Service	1411
11.	Professional Service	89

Source: Business License office

The problem is not that women are not accorded identical rights in civil matters with men, that legal capacity and the same opportunity to exercise that capacity is absent; it is actually the lack of knowledge and awareness among the majority of women of the existence of such protective measures.

To address this gap, the legal counseling unit (LCU) under NUEW has been focusing in awareness raising campaigns in the last three years with the aim of popularizing the legal provisions in all matters that concern women. To this effect a training manual was developed mainly featuring family law, the land proclamation and particular issues of the criminal code (abortion, rape etc).[60] Current LCU statistics show that over 5700 women have participated in the legal literacy workshops organized by LCU in the year 2002.

Article 16: Marriage and family relations

Marriage is considered as a legal bond between spouses and is monogamy system except for the followers of Islamic religion. The current marital status[61] indicates that 20.2 percent of women of reproductive age in Eritrea have never married, 58.5 percent are currently married, 1.6 percent living with their partners (cohabiting), 6.9 percent are divorced/separated and 12.5 percent are widowed.

The civil-code of Eritrea regulates all marriage and family relations including the minimum age of marriage and the compulsory nature of registering marriage contracts.

However, since Eritrea is a heterogeneous nation composed of nine ethnic groups each with its indigenous language, traditional values and customary laws, a vent of flexibility in accommodating all is still open. In traditional Eritrea the marriage and family relations was totally bound by customary laws dictated by the elders of the community and tribal chiefs/leaders. Considering the plurality and diversity of culture and religion in the country the current system recognizes legally various marriage laws and practices. According to the draft Transitional Civil law of Eritrea Civil marriage, Religious marriage and customary marriage are the recognized forms of marriages.

Civil Marriage will take place when a man and a woman have appeared before the civil status officer for the purpose of contracting marriage and have given their respective consent before the civil status officer (Art. 518)

[60] The rights of women in relation to family law, NUEW 2000
[61] EDHS 2002

Religious marriage shall take place when a man and a woman have performed such acts or rites as are deemed to constitute a valid marriage according to their religion or the religion of one of them (Art. 519).

Marriage according to Custom will take place when a man and a woman perform such rites as constitute a permanent union between such man and woman under the rules of the community to which they belong or to which one of them belongs. (Art. 520)

There are many customary laws practiced in the high-lands (mostly Christian) and low-lands (mostly Moslem) part of the country covering all most all the ethnic groups, to mention few:[62]

- Customary law of the *Adkeme Melgae* codified in 1936 in Tigringa
- The *Adgna Tegeleba* codified in 1937 in Tigringa
- The *Logo-chiwa* codified in 1413 initially later modified and coded in 1910 in Tigringa
- The *Karneshm* codified in 1910 in Tigringa
- The Lamza Saharti codified in 1936 in Tigrigna
- The *Shewate Anseba* codified in 1910 in Tigrigna
- The customary law of the *Kunama* is not codified but orally remembered and administered consistently
- The *Fithi Mehari of Mensa'e* codified in 1913 in Tigre
- The Ben-Amir codified in 1967 in English.

In all the customary laws authority of arranging betrothals is given to the male parents or male relatives of the bridegroom (except for the Kunama who follow matriarchal pattern). Customary marriage age for girls is 8-15 and for boys 12-15 years. The wife has no right to file petition of divorce under any circumstance in certain tribes however requests her spouse to call her parents to intervene on her behalf.

Law reforms in marriage

The Macro Policy of the state of Eritrea laid the foundation for law reforms related to women's rights. It is clearly enshrined under the gender policy as:

> b. *the equal right of women will be upheld and all laws that subtract from this right will be changed.*

Hence, the law reform committee formed in 1997 under the Ministry of Justice has drafted new Civil and Penal codes considering the fundamental human right, gender equality and all constitutional rights in reference to women. Although after national independence the colonial civil and criminal code was adopted, it was however, supported by a law reform proclamation 1/1991, which repealed and reformed the codes to fit with the Eritrean legal preference and was referred to as the Transitional Code of Eritrea (TCE). Registration of marriages, minimum age marriage, period of widowhood, pecuniary effects of marriage and divorce, succession etc. are some of the issues that were reformed. Currently the courts are using TCE until the draft law is approved by the Parliament.

All forms of marriage (except that of *Sharia*) including customary and religious marriages in the new draft civil code/TCE have common binding conditions that enhance women's' right in marriage contracts. To mention few:

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[62] An Assessment of Legal issues affecting women's lives in Eritrea, NUEW, March 2001

A man and a woman who have not both attained the full age of 18 years may not contract marriage (Art. 521) in case the woman is pregnant or has already given birth to a child at the age of sixteen dispensation might be granted from the rule concerning age.

Marriages between persons related by affinity and consanguinity are prohibited (Art. 522/523)

Each of the spouses shall personally consent to the marriage at the time the marriage takes place (525).....representation shall not be allowed unless a dispensation be given for good cause by the attorney general.

No consent shall be valid which has been extorted by threat (Art. 528) etc.

Currently, legal and administrative protections are guaranteed by reforming the family law and by foreseeing its' implementation and proper applications. The law magnifies that all forms of marriages should be contracted in mutual support and understanding and both the husband and wife will be held responsible for taking care of the family. The draft law reads

The spouses owe each other respect, fidelity, protection, support and assistance (Art. 564)

The spouse shall co-operate in the interest of the family, on the basis of equal rights and responsibilities of both sexes, to ensure the moral and material direction of the family, the upbringing of the children and the preparation of the children for their place in society (Art. 565).

A record of marriage shall be drawn up in customary and religious marriages (Art .543/544)

The challenging aspect in this law reform exercise is the harmonization of the provision of *Sharia law* with the provisions of the family law under the civil code. The *Sharia law* exercises its own divorce, inheritance and property management regulations, separate from the civil code. Once a woman is married under *Sheria law,* she is obliged to go by *Sharia* provisions in case of divorce, child custody and alimony, succession where it differs from the provisions given in the civil code.

Marriages based on affinity, consanguinity and or bigamy are prohibited under the law.

Betrothal and under-age marriage

Under-age marriage for girls has been a common practice among Eritrean communities. Girls were being married by arranged agreements between families without their consent at the age of thirteen, without even questioning the health, age and other situations of the man. Marriage by abduction/threat was an accepted phenomenon as well as marriage for settling family conflicts and vindication. The period of widow-hood extends to life for a woman while the man is allowed to marry the next day.

The traditional and customary marriage begun to subside during the liberation struggle when the EPLF proclaimed a new family law prohibiting certain acts such as bride price, abduction, under age marriage, marriage without consent etc, which were discriminating and oppressing women's rights. Of course laws and regulations do not stand alone and were reinforced by conducting awareness raising campaigns to change the traditional attitudes, the mindset and ensure social readiness of community to fit in the changing situation towards women's liberation. Through time, undeniable changes have been acquired, influencing the decline of early marriages. Today, the marriage age for girls is 18 by law.

According to DHS 1995, the median age at first marriage for women in Eritrea has risen steadily from 16 years among women age 40-49 to 18 years among women age 20-24. The proportion of women married by aged 15 declined from 31 percent among those ages 45-49 to 20 percent among women aged 15-19 years. Overall, 73 percent of Eritrean women currently aged 25-49 were married by age 20. Men enter into first union at a much later age than women: the median age at first marriage among men 25-59 is 25 years.

Betrothal is still taking place among Eritrean communities; used as a stepping stone to future marriages. According to the current civil (family) law, betrothal[63] can be conducted in front of two witnesses. However, it cannot enter in the registers of civil status. It shall also be of no effect until both future spouses attain the marriageable age required by law. In early days, parents enter into betrothal on behalf of their young girls (5-10 years of age) who stayed abided until they reached puberty. Currently, a time limit for the period of betrothal is defined under the new draft law. If at the time of betrothal, no period has been agreed, the marriage shall take place within six months from the date upon which either of the future spouses has expressed his or her wish that the marriage be celebrated.

Divorce

There are legally accepted conditions for termination of marriage, which can be: death of the spouses; divorce for serious causes (when one of the spouses commits adultery, and or when one deserts); and by court order (Art. 663). Efforts to reconcile family cases are undertaken by family arbitration before divorce is ordered by court.

According to TCC, any unilateral repudiation of the wife by the husband or the husband by the wife is of no effect. In case of divorce, a petition of divorce can be made to the family arbitrators either by the two spouses jointly or by one of them.

However, if arbitration fails and divorce takes place under the civil law the following provisions are applied: -[64]

- Pecuniary relations are liquidated.
- The custody and support of children born of the marriage are regulated having solely the interest of such children. Children are entrusted to their mother up to the age of five.
- The husband provides maintenance for the child decided by the arbitration committee.
- Common property is divided on equal terms between the spouses and common debts are settled. This is also applicable in the case of cohabitation.
- Have the right to retake their personal property.

Except for the followers of Sharia law.

Divorce cases are handled by family arbitrators appointed by each of the spouse and or by court. But, only the court is competent to decide whether a divorce has been lawfully pronounced by the family arbitrators or not.

Unfortunately, women are not appointed to be members of the arbitration committee in most cases. A lot of complaints against family arbitrators have been filed to the legal counseling unit under NUEW for not handling such cases impartially and with the least of satisfaction to the woman in case. A lot of effort is being exerted by

[63] Defined as a contract whereby the fiance and fiancee agree that a marriage shall take place between them

[64] Family law, on Termination of marriage

NUEW to include women in the portfolio of family arbitration committee and even to go beyond and introduce community elected village courts that can replace the arbitration committees.

Currently, the divorce and or separation cases and child maintenance issues are showing an increasing trend.

Personal rights and Property

There is no such law or tradition that states that a married woman should assume the name of her spouse; she retains her fathers' name even after her marriage, but their children assume the name of the father.

Husband and wife have the right to administer their personal property, receive the income and may freely dispose of his/her property. They can also receive their earnings and salaries and have a bank account to deposit personal property. Common property such as property donated to both, all property acquired by the spouses during marriage, salaries etc can be administered jointly or independently by each one of the spouses.[65]

Cohabitation

A lot of women have become victims of unregistered unions in the past. Previously, according to the colonial civil law, cohabitation was allowed by law, but considered as an irregular union denying the right of succession, maintenance, community of property and bond of affinity to the woman. However, if they live together for over ten years compensation of divorce could be provided. In many cases divorces of cohabitation took place just before the cut-off period leaving the wife extremely helpless.

Irregular union has been totally repealed and cohabitation without marriage is now considered a regular union and must be registered. Legal protection in all terms of family relations is provided to those living together for a long time as if they were married. There is an important remark in relation to this article, which is the need and importance of defining the time limit by law.

Rape

Although rape is a criminal offence some parents of raped females prefer to marry their daughters to the offender in order to cover the offence rendered against the family and sexual injury to their daughter. This kind of arbitration and agreement is conducted between the families involved avoiding the law. In most cases such marriages end up in divorce since the motive of the bridegroom behind that matrimony was to protect himself from any criminal charges of rape. The victim has no right to raise the rape case again after the divorce.

According to the criminal law:

> *Whoever compels a woman to submit to sexual intercourse outside wedlock, whether by the use of violence or grave intimidation or after having rendered her unconscious or incapable of resistance is punishable by law.*

[65] Ibid., on personal effects of marriage

This being the case the crime degree and level of punishment of rape differs when it is committed:

a) on a child under 15 years of age
b) to an inmate of a hospital, alms-house, asylum or any establishment of education, correction, detention places who is dependant upon, or under the supervision or control of the accused person
c) by a number of persons acting in concert

Rape cases are usually reported to police and forwarded to the office of attorney general. But all rape incidents are not filed. People tend to conceal the situation fearing the social alienation their girls could face. Some times even the victim herself keeps the secret. The following table shows the rape cases reported to the police.

Table 24: Rape cases

Year	1998	1999	2000	2001	2002
Reported Rape cases	21	49	49	63	72**

Source: Office of Attorney general

** The fourth quarter report not included, the figure will tend to increase

The statistics show that rape incidences are increasing. Compared to the year 2000 it has increased by 46% in the year 2002. According to the report, the victims are mostly between the age 13-17 i.e. underage girls.

Again intensive and comprehensive legal literacy activities among women and communities at large, are highly required and should be done through the joint efforts of NUEW, the MoJ and other civil society or organizations.

Inheritance/succession

According to the civil law, there is no discrimination in inheritance. It clearly states that "*the sex, age, nationality of heir shall not affect anyway the ascertainment of his right to the succession*" (Art. 837). In case of the *Sharia* law, however, the provision varies.

In case of death of her spouse, the mother with her children inherits all property including farmland. Nevertheless, where the deceased is not survived by his children his parents are called to his success. If the wife and the in-laws cannot reconcile such a situation (which is always the case) then she will be compelled to sell the common property and take her share. This does not apply to personal properties.

In case of divorce, the family arbitrators may handle the case, and may even award to one of the spouses three-quarters of the common property depending on the good and bad faith of the spouses, unlawful enrichments etc.

Conclusion

The preceding report has examined each of the 16 Articles of the Convention on the Elimination of all forms of Discrimination against Women in the context of Eritrean reality. It has tried to illustrate the important legal and administrative provisions that have been adopted to deal with issues of discrimination and equality of opportunities as well as the challenges and traditional barriers.

However, even if legislation provides for equal rights and opportunities, attitudes and cultural practices still constitute major obstacles which affect possibilities of change, rendering it slow and gradual.

The Government of Eritrea, however, declares its strong commitment and political will to achieve concrete equality measures and eradicate existing discrimination as it considers the participation of women and their full integration in national development and society as essential elements for development and establishment of true democracy.

It is the principle conviction of the government that women's rights and participation cannot be asserted if the fundamental change does not embrace the vast majority of women, if access and opportunity is not widely open to all. In such cases, the whole issue of empowerment remains cosmetic. The philosophy and principle belief of the government on this matter was more articulated on the 20th anniversary of NUEW in the keynote speech by the President of the State.

> Choosing between symbolic dimension or substantive and broad-based participation is a crucial dimension. There is always the temptation to focus on the participation of a few women at the top or those at the highest echelon only. This approach is distorted and will inevitably confine the participation of women to a nominal degree. Genuine participation of women should mean empowering all or the majority of women to play meaningful role in all aspects of societal activities. The emphasis of the efforts that have to be exerted should therefore be geared at empowering all or the majority; thereby ensuring that participation would be substantive rather than symbolic.[66]

The Eritrean women believe that gender equality is not something that is granted and or donated but it is something that should be achieved through their conscious participation in all walks of life. Their journey of equal rights has started long ago, during the struggle for liberation under the slogan *"equality through equal participation in work"*, which Eritrean women will continue to retain and follow.

In line with UN system Millennium Development Goals (MDGs), the government and a UN country team under United Nations Development Assistance Framework (UNDAF) addressed the national priorities in the development and recovery program which has given emphasis to gender in development (GID) strategies as cross cutting issues. This is explicitly stated as follows:[67]

i. support the implementation of the National Action Plan for the advancement of Women;
ii. assist in strengthening institutional mechanism at the national, regional and local level to address gender issues in public policy, resource allocation, and monitor gender initiatives in policy, programs and legislation;
iii. assist in strengthening the capacity of organizations that represent women's interest and promote advocacy , networking and partnership for the advancement of women;
iv. assist in strengthening women's entrepreneurial skills, knowledge and capacities; and
v. support institutions to collect analyze and disseminate gender-disaggregated data in their respective sectors and areas.

It should be a mutual consensus and understanding that achieving women's rights is not an exclusive task of women or their organizations, but it is the responsibility of all adherents of the fundamental rights of human beings.

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[66] Address by H.E President of Eritrea, Isaias Afewerki , Nov.27-29, 1999
[67] United Nations Development Assistance Framework, 2002-06 Eritrea

A continuous research on various areas that have direct or indirect influence on the status of women need to be assessed and researched to provide a basis for gender policy formulation and future strategic framework to acquire fundamental change in Eritrean women's life and status.

The Government
Of
The State of Eritrea

Dec. 2002

Annex 1

List of Acronyms

ACORD	Agency for Co-operation of Research in Development
ATTI	Asmara Teacher Training Institute
CPA	Central Personnel Administration
CCE	Constitutional Commission Eritrea
CGRSR	Center for Gender Research Studies and Resource
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CHW	Community Health Workers
CSW	Commission on the Status of Women
DEA	Division of Adult Education
ECRF	Eritrean Community Rehabilitation Fund
ECD	Early Childhood Development
ECDF	Eritrean Community Development Fund
EDHS	Eritrea Demographic and Health Survey
ENCC	Eritrean National Chamber of Commerce
EPLF	Eritrean Peoples Liberation Forces
ERREC	Eritrean Relief and Refugee Commission
ERP	Emergency Reconstruction program
ESECE	Eritrean Secondary Education Certificate Examination
FAS	Farmer Advisory Service
FFT	Food for Training
FGM	Female Genital Mutilation
FRHAE	Family Reproductive Health Association of Eritrea
GAP	Gender Action Plan
GEO	Government of Eritrea
GID	Gender In Development
GNP	Gross National Product
HCBE	Housing and Commercial Bank of Eritrea
HAMSET	HIV/AIDS, Malaria, STD and Tuberculosis
HIMS	Health Management Information System
HRD	Human Resource Development
IDPs	Internally Displaced Persons
IEC	Information, Education and Communication
IMR	Infant Mortality Rate
IMCI	Integrated Management of Childhood Illnesses
LCU/NUEW	Legal Literacy Unit
LSEs	Large Scale Enterprises
NUEW	National Union of Eritrean Women
NUEYS	National Union of Eritrean Youth and Students
NCEW	National Confederation of Eritrean Workers
MDGs	UN system Millennium Development Goals
MLA	Monitoring and Learning Achievement
MoA	Ministry of Agriculture
MoD	Ministry of Defence
MoE	Ministry of Education

MoEM	Ministry of Energy and Mines
MoH	Ministry of Health
MoLWE	Ministry of Land Water and Environment
MoLHW	Ministry of Labor and Human Welfare
MoLG	Ministry of Local Government
MoTI	Ministry of Trade and Industry
MMR	Maternal Mortality Ratio
MP	Member of Parliament
MSME	Micro, Small, and Medium Enterprise
NAR	Net Attendance Ratio
NEPFP	National Economic Policy Framework and Program
NGO	Non Governmental Organizations
NLP	National Literacy Program
NRS	Northern Red Sea (region)
PFDG	Peoples Front for Democracy and Justice
PGE	Provisional Government of Eritrea
PHC	Primary Health Care
PTC	Parents Teachers Committee
SMCP	Saving and Micro Credit Program
SRS	Southern Red Sea (region)
TBA	Traditional Birth Attendants
TCCE	Transitional Civil Code Eritrea
TCCE	Transitional Criminal Code Eritrea
TCE	Transitional Code of Eritrea
TTI	Teacher Training Institute
TVET	Technical and Vocational Education Training
UNDAF	United Nations Development Assistance Framework
UNESCO	United Nations, Educational, Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UOA	University of Asmara
VEC	Village Electric Co-operation
WAD	Water Resource Department
WBDU	Women Business Development Unit
WES	Water, Environment Sanitation and Hygiene
WFP	World Food Program

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